

2013

# January 16, 2013

January 16, 2013

Resolution 2013-28105

## **SUPPLEMENTAL MATERIAL 1 - Resolution**

C7A A Resolution Approving And Authorizing The City Manager Or Her Designee To A Submit Grant Application To: 1) The National Endowment For The Arts FY 2013 Our Town Program, For Funding In The Amount Of \$25,000 For The Initial Planning Analysis For Artist Live/Work Space On Miami Beach; 2) Miami-Dade Metropolitan Planning Organization (MPO), Call For Ideas Program For Funding In The Approximate Amount Of \$250,000 For A Pre-Feasibility Study Related To Mass Transit Connectivity, And, 3) Retroactively, In The Approximate Amount Of \$65,212 To Miami-Dade County Homeless Trust In Response To The Request For Applications For Inclusion In The Application To Be Submitted By The Miami-Dade County Continuum Of Care For The 2012 US HUD Notice Of Funding Availability (NOFA) For The Continuum Of Care Program Competition, For Funding For The City's Homeless Outreach Program; Appropriating The Above Grants If Approved And Accepted By The City, And Authorizing The Execution Of All Documents Related To These Applications. (Budget & Performance Improvement)

January 16, 2013

8:41:51 p.m.

## **Resolution No. 2013-28106**

C7B A Resolution Authorizing The Mayor And City Clerk To Execute Amendment Number 4 To The Professional Services Agreement With Atkins North America, Inc. For Supplemental Construction Administration Services, For A Period Of Up To Twelve (12) Months, For The South Pointe Park Pier Project; In The Negotiated Lump Sum Amount Of \$266,472 And An Additional Amount Of \$34,380 For Reimbursable Expenses, For A Total Amount Of \$300,852; With Previously Appropriated Funding In The Amount Of \$300,852 From Fund 389, South Pointe Capital Fund. (Capital Improvement Projects)

**ACTION: Item separated for discussion by Commissioner Tobin. No discussion held. Resolution No. 2013-28106 adopted.** Motion made by Commissioner Weithorn seconded by Commissioner Exposito; Voice vote: 5-0; Absent: Vice-Mayor Góngora and Commissioner Tobin.

January 16, 2013

8:41:51 p.m.

## **Resolution No. 2013-28107**

### **SUPPLEMENTAL MATERIAL 1 - Resolution**

C7C A Resolution Authorizing By 5/7th Vote, The Waiver Of Competitive Bidding, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The Mayor And City Clerk To Execute An Amendment To The Contract Between The City Of Miami Beach And Frederick M. Keroff, M.D., Dated October 1, 2005, For Medical Director Of The City Of Miami Beach's Emergency Medical Services (EMS), In The Annual Amount Of \$47,207; Said Amendments Approving The Renewal Option Of The Contract, And Further Amending Section 1 Thereof (TERMS) To Allow Subsequent Renewal By The City Manager. (Fire Department)

**ACTION: Item separated for discussion by Commissioner Tobin. No discussion held. Resolution No. 2013-28107 adopted.** Motion made by Commissioner Weithorn seconded by Commissioner Exposito; Voice vote: 5-0; Absent: Vice-Mayor Góngora and Commissioner Tobin.

January 16, 2013

## **Resolution No. 2013-28108 adopted**

C7D A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Proposals, Pursuant To Request For Proposals (RFP) No. 62-11/12, To Install And Maintain An Externally Web Hosted Software For Parks And Recreation; Authorizing The Administration To Enter Into Negotiations With The Second-Ranked Proposer: Capturepoint.com; And Should The Administration Not Be Successful In

Negotiating An Agreement With The Second-Ranked Proposer, Authorizing Negotiations With The Top-Ranked Proposer, The Active Network; And Should The Administration Not Be Successful In Negotiating An Agreement With The Top-Ranked Proposer, Authorizing Negotiations With The Third-Ranked Proposer, Vermont Systems, Inc.; Further Authorizing The Mayor And City Clerk To Execute An Agreement Upon Conclusion Of Successful Negotiations By The Administration. (Parks & Recreation/Procurement)

**ACTION: Resolution No. 2013-28108 adopted.**

**January 16, 2013**

**11:06:12 a.m.**

**Resolution No. 2013-28109**

C7E A Resolution Adopting And Appropriating The First Amendment To The Police Confiscation Trust Budget For Fiscal Year 2012/2013 In The Amount Of \$130,000, To Be Funded From The Proceeds Of Federal-Justice Confiscated Funds In The Amount Of \$130,000, For The Appropriation And Expenditure Of Those Items Set Forth In Exhibit "A," Which Shall Be Funded Through The Police Confiscation Trust Fund. (Police Department)

**ACTION: Item R9K heard in conjunction with item C7E. Item separated for discussion by Commissioner Libbin. Resolution No. 2013-28109 adopted as amended.** Motion made by Commissioner Exposito to approve the item, appropriating \$10,000 for the gun buyback program, and refer item to committee; seconded by Vice-Mayor Góngora; Voice vote: 7-0.

**Amendment**

Appropriate \$10,000 for the gun buyback program

**REFERRAL:**

Referral to the Finance and Citywide Projects Committee to:

- Discuss parameters to implement the gun buyback pilot program
- Establish the types of gift cards in return for the types of guns
- Ensure that the City is doing background check on the guns purchased
- Check feasibility of limiting the guns buyback to Miami Beach residents only.
- Locate possible use of cameras
- Discuss pilot program for having monitored cameras placed in high crime areas, (such as 12th through 15<sup>th</sup> Streets and Washington Avenue), and use forfeiture funds for this program with funding from Law Enforcement Trust Fund

**January 16, 2013**

**Resolution No. 2013-28110**

C7F A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee Changing The Mayor's Blue Ribbon Bikeways Committee To A Permanent Committee, Entitled Bicycle-Pedestrian Facilities Advisory Committee. (Public Works)

**ACTION: Resolution No. 2013-28110 adopted.**

**January 16, 2013**

**Resolution No. 2013-28111**

C7G A Resolution Accepting A Utility Easement From And Vacating A Portion Of A Utility Easement To William Goldsmith, Owner Of The Property Located At Lot 9 Of Block 2H Of The Third Revised Plat Of Sunset Islands, For The Construction, Installation, Maintenance, Repair, And Replacement Of Stormwater Piping. (Public Works)

**ACTION: Resolution No. 2013-28111 adopted.**

**January 16, 2013**

**Resolution No. 2013-28112**

C7H A Resolution Approving And Authorizing The City Manager To Issue A Certification Of Consistency With The City's FY 2008-2012 Consolidated Plan To Douglas Gardens Community Mental Health Center Of Miami Beach, Inc. For Its Starting Again Project; Further Authorizing The City Manager To Execute Any Subsequent Certifications Of Consistency With The City's Consolidated Plan For Renewal Applications Of Funding For The Aforesaid Project. (Real Estate, Housing & Community Development)

**ACTION: Resolution No. 2013-28112 adopted.**

**January 16, 2013**

**Resolution No. 2013-28113**

**SUPPLEMENTAL MATERIAL 2: Resolution**

C7I A Resolution Setting A Public Hearing, Pursuant To Section 118-262 Of The City Code, For An Appeal Filed By W. Tucker Gibbs, P.A., On Behalf Of Sunset Islands 3 And 4 Property Owners, Inc. And Olga Lens, Of The Design Review Board's Order Relative To DRB File No. 22889 For 1201-1237 20th Street, Palau At Sunset Harbor, And Setting Said Public Hearing For The City Commission Meeting Of March 13, 2013. (Planning Department)

**ACTION: Resolution No. 2013-28113 adopted.**

**January 16, 2013**

**Resolution No. 2013-28114**

C7J A Resolution Accepting The Recommendation Of The City Manager Pursuant To Request For Proposals (RFP) No. 68-11/12, For Electric Fireworks And Pyrotecnics For The City's Fourth Of July Celebration; Authorizing The Administration To Enter Into Negotiations With The Sole Proposer Zambelli Fireworks; Further Authorizing The Mayor And City Clerk To Execute An Agreement Upon Conclusion Of Successful Negotiations By The Administration. (Tourism & Cultural Development/Procurement)

**ACTION: Resolution No. 2013-28114 adopted.**

**January 16, 2013**

**Resolution No. 2013-28115**

**SUPPLEMENTAL MATERIAL 1 - Revised Resolution & Additional Information**

C7K A Resolution Creating The Mayor's Ad Hoc Committee To Plan The 2013 Sustainable & Authentic Florida Conference And Prescribing The Duties, Manner Of Appointment, And The Terms Of Office Of Committee Members.(Requested by Mayor Matti Herrera Bower)(Legislative Tracking: City Attorney's Office)

**ACTION: Resolution No. 2013-28115 adopted.**

**January 16, 2013**

**Resolution 2013-28116**

**1:31:18 p.m**

**SUPPLEMENTAL MATERIAL 2: Resolution**

C7L A Resolution Adopting The First Amendment To The Capital Budget For Fiscal Year 2012/13. (Public Works) **ACTION: Item separated for discussion by Commissioners Tobin and Wolfson. Resolution 2013-28116 adopted.** Motion made by Commissioner Wolfson; seconded by Vice-Mayor Góngora; Voice vote: 7-0.

**January 16, 2013**

**2013-27117**

**2:29:04 pm.**

**SUPPLEMENTAL MATERIAL 1 - Resolution**

R7A Lease Agreements With State Representative David Richardson & Commissioner Bruno Barreiro  
1. A Resolution Waiving, By 5/7ths Vote, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Approving A Lease Agreement With State Representative David Richardson To Temporarily Lease Suite 402B, Located At 1701 Meridian Avenue, Miami Beach, Florida, Containing 149 Square Feet Of Office Space, Until Such Time As Suite 402A, Containing 541 Square Feet Of Office Space Becomes Available, For An Initial Term Of Two Years Retroactively Commencing On December 20, 2012, And Expiring November 30, 2014, With Three (3) Extension Options For A Period Of Two (2) Years Each; And Further Authorizing The Mayor And City Clerk To Execute The Agreement Subject To Final Review By The City Manager And Form Approval By The City Attorney. **2:15 p.m. Public Hearing ACTION: Public Hearing Held. Resolution No. 2013-27117 adopted.** Motion made by Commissioner Wolfson to approve the resolution; seconded by Commissioner Libbin; Voice-vote: 7-0.

**January 16, 2013**

**Resolution 2013-28118**

**2:30:08 p.m.**

2. A Resolution Waiving, By 5/7ths Vote, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Approving A Lease Agreement With Commissioner Bruno Barreiro And/Or The Miami-Dade Board Of County Commissioners To Lease 412 Square Feet Of Ground Floor Office Space Located At 1700 Convention Center Drive, Miami Beach, Florida, For An Initial Term Of Forty Six (46) Months Commencing On February 1, 2013, And Expiring November 30, 2016, With One (1) Extension Option For A Period Of Four (4) Years; And Further Authorizing The Mayor And City Clerk To Execute The Agreement Subject To Final Review By The City Manager And Form Approval By The City Attorney. **2:15 p.m. Public Hearing** (Real Estate, Housing & Community Development)

**ACTION: Public Hearing Held. Resolution 2013-28118 adopted.** Motion made by Commissioner Libbin to approve the resolution; seconded by Commissioner Exposito; Voice-vote: 7-0.

**January 16, 2013**

**Resolution 2013-28119**

**12:20:47 a.m.**

**SUPPLEMENTAL MATERIAL 1 - Resolution**

R7B A Resolution Accepting The Recommendations Of The Historic Preservation Board, And Granting A Certificate Of Appropriateness For The Total Demolition Of An Existing Single Story Building And The Construction Of A New 5-Story Parking Garage With Accessory Ground Level Commercial Space At 340 23rd Street (Collins Park Garage). **10:50 a.m. Public Hearing** (Capital Improvement Projects)

**ACTION: Public Hearing Held. Resolution 2013-28119 adopted.** Motion made by Commissioner Libbin to approve the resolution; seconded by Commissioner Exposito; Voice-vote: 7-0.

**January 16, 2013**

**Resolution 2013-28120**

**12:21:15 p.m.**

**SUPPLEMENTAL MATERIAL 1 - Resolution**

R7C A Resolution Granting A Waiver Of Certain Development Regulations, Pursuant To Section 142-425(d) Of The City's Zoning Ordinance, For The Collins Park Garage Project, Located Within The Museum Historic District And Collins Park Neighborhood; Said Waiver Regarding The Maximum Building Height. **10:55 a.m. Public Hearing** (Capital Improvement Projects)

**ACTION: Public Hearing Held. Resolution 2013-28120 adopted.** Motion made by Commissioner Libbin to approve the resolution; seconded by Commissioner Weithorn; Voice-vote: 7-0.

**January 16, 2013**

**Resolution No. 2013-28121**

**11:30:00 a.m.**

**SUPPLEMENTAL MATERIAL 1 - Collins Park Place BODR - Under a Separate Cover**

R7D A Resolution Approving And Officially Adopting The Basis Of Design Report (BODR) For The Collins Park Garage Project (The Project). (Capital Improvement Projects)

**ACTION: Resolution No. 2013-28121 adopted.** Motion made by Commissioner Libbin to approve the resolution; seconded by Commissioner Wolfson; but to include a discussion with the architect about the passive park on the rooftop; Voice-vote: 7-0.

**January 16, 2013**

**Resolution No. 2013-28123**

**2:08:35 p.m.**

R7G A Resolution Approving The City's State Legislative Agenda For The 2013 Session Of The Florida Legislature. (City Manager's Office)

**ACTION: Resolution No. 2013-28123 adopted as listed below.** Motion made by Commissioner Weithorn to approve the resolution; seconded by Commissioner Libbin; Voice-vote: 7-0.

**TO DO:**

1. Commissioner Tobin requested to make sure that, at least annually, aerial photographs are taken of our shoreline.
2. Add to the list that the City of Miami Beach opposes that parking revenues generated from meters on state roads should go to the state rather than to the city. If this item passes at the State Legislature, make those parking area free parking.

**January 16, 2013****Resolution No. 2013-28124****2:04:43 p.m.**

R7H A Resolution Urging The United States Congress To Ban The Sale And Possession Of Semi-Automatic And Assault Weapons And High Capacity Ammunition Devices And Magazines And To Close The "Gun Show Loophole" Nationwide; Urging The Florida Legislature To Act Statewide To Require Private Sales Of Firearms To Include A Mandatory Background Check Of A Purchaser Of A Firearm Regardless Of Whether The Firearm Vendor Is Licensed Or Non-Licensed Pursuant To Federal Or State Law; And Giving Direction To The City Manager With Regard To The Enforcement Of Gun Laws Within The City. (Requested by Vice-Mayor Michael Góngora) (Legislative Tracking: City Attorney's Office)

**ACTION: Resolution No. 2013-28124 adopted as amended.** Motion made by Vice-Mayor Góngora to approve the resolution; Voice vote 7-0.

**AMENDMENT:**

Jose Smith, City Attorney, stated to strike the word and.

**January 16, 2013****Resolution No. 2013-28125****8:00:05 p. m****SUPPLEMENTAL MATERIAL 1****Mayor Matti Herrera Bower's Version & NCAC's Version Resolutions**

R7I A Resolution Establishing, Pursuant To City Charter Section 2.04, Procedures For Calling Special Meetings Of The City Commission By A Majority Of The Members Of The City Commission. (City Attorney's Office/Mayor Matti Herrera Bower)

**ACTION: Resolution No. 2013-28125 adopted.** Motion made by Commissioner Wolfson to approve the resolution; seconded by Commissioner Weithorn; Voice-vote: 6-0; Absent: Commissioner Tobin.

**January 16, 2013****Resolution No. 2013-28126****8:08:57 p.m.****SUPPLEMENTAL MATERIAL 1 – Resolution**

R7J A Resolution Approving An Increase To The Owner's Contingency For The Right-Of-Way Infrastructure Improvement Program, Neighborhood No. 8E Bayshore, Sunset Islands I & II Project, In The Amount Of \$696,285, For The Additional Work Related To Construction Of Permanent Street Lighting System In Sunset Island I, Suitable And Unsuitable Fill Material Overruns, Outfall Reconstruction And Upsizing, Sanitary Sewer Pipe Lining, And Driveway Harmonization As A Result Of Unforeseen Conditions And Improvements With Previously Appropriated Funding In The Amount \$73,292 From Fund 304 - Capital Reserve, \$34,017 From Fund 424 - Water & Sewer Bonds 2000 Series, \$491,550 From Fund 431 - Storm Water Bonds 2011, And \$97,426 From Fund 427 – Storm Water Enterprise Fund, For A Grand Total Of \$696,285. (Capital Improvement Projects)

**ACTION: Resolution No. 2013-28126 adopted.** Motion made by Commissioner Weithorn to approve the resolution; seconded by Commissioner Exposito; Voice-vote: 6-0; Absent: Commissioner Tobin.

**January 16, 2013****Resolution 2013-28122**

R9D A Resolution Of The Mayor And City Commission Of The City Of Miami Beach, Florida, Relating To The Annual Performance Evaluation Of The City Attorney; Receiving The City Attorney's Performance Evaluation Report; And, In Consideration Of The City Attorney's Exemplary Performance During The Contract

Years From, Respectively, April 11, 2010, Through April 10, 2011, And April 11, 2011, Through April 10, 2012, Granting A Cost Of Living Adjustment (Cola) Of Three (3) Percent, Effective As Of April 9, 2012; Extending The City Attorney's Contract Of Employment, Dated April 11, 2006, For An Additional Two (2) Year Term, Commencing Upon The Expiration Of The Initial Term Of Said Contract; Further Amending The City Attorney's Employment Contract To Reduce The Allowable Amount Of Severance Pay From Twelve (12) Months Aggregate Salary, To Twenty (20) Weeks (Or Five (5) Months) Aggregate Salary, And Acknowledging That The City Attorney Voluntarily Agreed To Forego Compensation For Future Planning Days. (City Attorney's Office)

**ACTION: Resolution 2013-28122 adopted.** Motion made by Commissioner Libbin to extend Jose Smith's contract for a period of two years, with the contract to include a cost-of-living increase of 3%, an amount equivalent to that given to City employees in May 2012; decreasing severance pay from one-year to 20 weeks, and foregoing future paid planning days; seconded by Commissioner Wolfson; Voice vote: 5-2; Opposed Commissioners Góngora and Tobin.

**January 16, 2013**

**Resolution No. 2013-28127**

**12:25:53 p.m.**

R9H Discussion Regarding A Request For Reconsideration Of "Resolution Approving The Recommendation Of The City Manager To Shortlist The Top Two (2) Teams Of Portman CMC And South Beach ACE As The Shortlisted Proposers To Continue Onto Phase II Of The MBCC RFQ No. 22-11/22; And Authorizing The City Manager To Negotiate Letters Of Intent (LOI's) With The Shortlisted Proposers," Approved, City Commission Meeting December 12, 2012. (Requested by Commissioner Deede Weithorn)

**ACTION:** Discussion held. **Resolution No. 2013-28127 adopted.** Motion made by Commissioner Weithorn; seconded by Commissioner Wolfson; Voice vote: 7-0.

**January 16, 2013**

**Resolution No. 2013-28128**

**8:16:25 p.m.**

R9J Discussion On The Miami Beach Human Rights Committee Resolution 2012-002 Regarding FDA Regulations For Blood Donation. (Requested by Vice-Mayor Michael Góngora)

**ACTION:** Discussion held. **Resolution No. 2012-28128 adopted.** Motion made by Vice-Mayor Góngora; seconded by Mayor Bower; Voice vote 6-0; Absent: Commissioner Tobin.

## February 6, 2013

**February 6, 2013**

C7A A Resolution Approving And Authorizing The City Manager Or Her Designee To A Submit Grant Applications To: 1) The State Of Florida, Division Of Emergency Management (FDEM), For Federal Funding From The U.S. Department Of Homeland Security, Federal Emergency Management Agency (FEMA), Hazard Mitigation Grant Program In The Approximate Amount Of \$120,000 For The Window Replacement Project At The Miami Beach Botanical Garden; 2) The Florida Department Of Environmental Protection, Recreational Trails Program For Federal Funding In The Approximate Amount Of \$200,000 For The Middle Beach Recreational Corridor; And, 3) The Florida Office Of The Attorney General For Victims Of Crime Act (VOCA) Funding In The Approximate Amount Of \$100,000 For The Police Department's Criminal Investigation Division; Appropriating The Above Grants If Approved And Accepted By The City, And Authorizing The Execution Of All Documents Related To These Applications. (Budget & Performance Improvement) **ACTION: Resolution No. 2013-28130 adopted.**

**February 6, 2013**

C7B A Resolution Electing Commissioner Jonah Wolfson, Group IV, As Vice-Mayor For A Term Commencing On March 1, 2013, And Terminating On June 30, 2013, Or On Such Date When A New Vice-Mayor Is Thereafter Elected. (City Clerk's Office) **ACTION: Resolution No. 2013-28131 adopted.**

**February 6, 2013**

C7C Appointment Of Chief Special Master

1. A Resolution Accepting The Recommendation Of The City Manager, Pursuant To Section 30-36 Of The Code Of The City Of Miami Beach, Concerning The Reappointment Of Abraham Laeser, Esq., To Serve As Chief Special Master, For A Term Commencing On March 15, 2013 And Ending On September 14, 2013; Provided Further That Chief Special Master Laeser Shall Be Authorized To Hold Hearings And Impose Fines, Liens And Other Non-Criminal Penalties Against Violators Of The City And County Codes And Ordinances, And Shall Also Be Authorized To Appoint Such Other Special Masters As May Reasonably Be Required To Conduct The Subject Hearings; And Further Incorporating All Other Matters Set Forth Within Chapter 30 Of The City Code, Including, Without Limitation, Sections 30-37 And 30-38 Thereof, Concerning The Compensation And Duties Of The Chief Special Master.

**ACTION: Resolution No. 2013-29132 adopted.**

**February 6, 2013**

2. A Resolution Approving And Appointing, Pursuant To Section 102-356 Of The City Code, Abraham Laeser, Esq. (Chief Special Master Appointed Pursuant To Resolution No. 2013-29132 As The City Manager's "Designee" Under Section 102-356 Of The City Code; Said Designation Commencing With Mr. Laeser's Term As Chief Special Master On March 15, 2013 And Ending On September 14, 2013.

(City Clerk's Office)

**ACTION: Resolution No. 2013-28133 adopted.**

**February 6, 2013**

C7D A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee Not To Pursue Naming Rights For Publicly Owned Facilities And Parks And To Further Research The Development Of A Miami Beach Parks Foundation. (City Manager's Office)

**ACTION: Resolution No. 2013-28134 adopted.**

**February 6, 2013**

C7E A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee At Its December 17, 2012 Meeting To Place A Plaque Honoring Rose Weiss Near The Flag Pole Located At The North Entrance To City Hall. (Parks & Recreation Department)

**ACTION: Resolution No. 2013-28135 adopted.**

**February 6, 2013**

C7F A Resolution Accepting An Amended And Restated Grant Of Easement From La Gorce Country Club, Inc. As Set Forth In Resolution Number 2009-26995 For The Construction, Installation, Maintenance, Repair, And Replacement Of City Utilities. (Public Works)

**ACTION: Resolution No. 2013-28136 adopted.**

**February 6, 2013**

C7G A Resolution Accepting The City Manager's Recommendation, And Approving The Cultural Arts Council's Funding Recommendations, Awarding \$30,000 In Cultural Grants Known As Miami Beach Arts Gala Grants, For Fiscal Year 2012/13, As Identified In The Attached Exhibit "A"; And Further Authorizing The Mayor And City Clerk To Execute Said Grant Agreements, And Make The Award Of Said Grant Monies.

(Tourism & Cultural Development)

**ACTION: Resolution No. 2013-28137 adopted.**

**February 6, 2013**

**2:23:43 p.m.**

**SUPPLEMENTAL MATERIAL - Resolution**

C7H A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee, Approving A Month-To-Month Extension, Retroactive To January 1, 2013, For A Voluntary Employee Loan Program, Through The BMG Money Loans-At-Work Program, To Make Available Loans To Interested Active

Employees Of The City Of Miami Beach; With A Discussion Item Referred To The Finance And Citywide Projects Committee To Explore What Potential Loan Alternatives May Be Available.

(Human Resources)

**ACTION: Item separated for discussion by Mayor Bower. Resolution No. 2013-28138 adopted.** Motion made by Commissioner Weithorn; seconded by Commissioner Exposito; Voice vote: 4-2; Vice-Mayor Góngora recused himself; Opposed: Mayor Bower and Commissioner Wolfson.

**February 6, 2013**

**3:17:57 p.m.**

C7I A Resolution Approving And Authorizing The Following Actions With Regard To The City's Neighborhood Stabilization Program 1 (NSP1) Agreements: 1) Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 5 To The Subgrant Agreement Between The State Of Florida Department Of Economic Opportunity (DEO) And The City, Modifying The Expiration Date Of The Subgrant Agreement From February 15, 2013, To August 15, 2013; 2) Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 9 To The NSP1 Agreement Between The City And Miami Beach Community Development Corporation (MBCDC), Dated January 21, 2010, Modifying The Expiration Date Of Such Agreement From February 15, 2013 To August 15, 2013; And Further Authorizing The City Manager To Execute Such Amendments And Any Subsequently Approved Extensions By US HUD Or DEO.

(Real Estate, Housing & Community Development)

**ACTION: Item separated for discussion by Commissioners Libbin and Tobin. Resolution No. 2013-28139 adopted.** Motion made by Commissioner Libbin; seconded by Commissioner Weithorn; Voice vote: 5-1; Opposed: Commissioner Tobin; Absent: Vice-Mayor Góngora.

**February 6, 2013**

**SUPPLEMENTAL MATERIAL – Resolution and Draft Letter Agreement**

C7J A Resolution Waiving By 5/7th Votes, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The City Manager To Execute A Letter Of Agreement With Jewish Community Services Of South Florida, Inc. In The Amount Of \$40,000, For The Jewish Community Services Hope Program.

(Public Works)

**ACTION: Resolution No. 2013-28140 adopted.**

**5:57:39 p.m.**

R7A A Resolution Amending The "Film And Print Production Guidelines," And Hereby Permitting And Restricting Further Uses On Public Property. (Tourism & Cultural Development)

**ACTION: Resolution No. 2013-28141 adopted as amended.** Motion made by Commissioner Libbin to approve the resolution as amended; seconded by Vice-Mayor Góngora; Voice-vote: 6-1; Opposed: Commissioner Tobin.

**February 6, 2013**

**12:21:39 p.m.**

R7B A Resolution Endorsing The Mayors' Climate Action Pledge, Affirming Support For The Southeast Florida Regional Climate Change Compact, Agreeing To Consider Implementing The Regional Climate Action Plan In Whole Or In Part As Appropriate For Each Municipality, And Urging All Mayors Of Miami-Dade County To Support The Mayors' Climate Action Pledge. (Requested by Mayor Matti Herrera Bower) (Legislative Tracking: Public Works)

**ACTION: Resolution No. 2013-28142 adopted. Item referred.** Motion made by Vice-Mayor Góngora to approve the resolution with the referral to the Finance and Citywide and Projects Committee; seconded by Commissioner Tobin; Voice-vote: 7-0.

**February 6, 2013**

**1:59:51 p.m.**

**8:36:40 p.m.**

**SUPPLEMENTAL MATERIAL – Resolution and Agreement**



R7C A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Amendment To The Professional Services Agreement Between The City Of Miami Beach And Strategic Advisory Group Dated October 19, 2011 For Consulting Services Relative To The Expansion And Enhancement Of The Miami Beach Convention Center Campus/District In An Amount Not To Exceed \$198,835, Including All Reimbursable Expenses, With Previously Appropriated Funds From FY 2012/2013 Operating Budget Fund 168 RDA City Center Operations. (City Manager's Office)

**ACTION: Resolution rejected.** Motion made by Commissioner Libbin to pay the monthly average for the Phase II in January; seconded by Commissioner Exposito; Voice vote 6-0 Absent: Commissioner Libbin.

**February 6, 2013**

**10:44:42 a.m.**

R7D Resolution Approving A Modification To Settlement Agreement Between 120 Ocean Drive LLC, And The City Of Miami Beach, And Authorizing The Mayor And City Clerk To Execute The Modification, And Authorizing The City Manager And City Attorney To Take Such Actions As May Be Necessary To Carry Out The Intent Hereof. (City Attorney's Office)

**ACTION: Resolution No. 2013-28143 adopted.** Motion made by Commissioner Wolfson to approve the resolution; seconded by Commissioner Weithorn; Voice-vote: 6-1; Opposed by Commissioner Tobin.

**February 6, 2013**

**SUPPLEMENTAL MATERIAL - Resolution**

R7E A Resolution Transmitting The Request From The City Attorney's Office And The Public Works Department, For The Debarment Of Harbour Construction, Inc. Pursuant To Sections 2-397 Through 2-406 Of The Code Of The City Of Miami Beach To Aleksandr Boksner, Senior Assistant City Attorney, Whom Shall Be Charged With The Duty Of Promptly Investigating And Preparing All Necessary Written Report(s) Concerning The Proposed Debarment, And To Serve As The Prosecuting Authority Before The Debarment Committee For The Presentation Of All Relevant Evidence And Arguments For The Debarment Of Harbour Construction, Inc. (City Manager's Office/City Attorney's Office)

**ACTION: Resolution No. 2013-28144 adopted.** Motion made by Commissioner Libbin to approve the resolution; seconded by Commissioner Exposito; Voice-vote: 6-0; Absent: Vice-Mayor Góngora.

## **March 2013**

**March 13, 2013**

**2013-28146**

C7A A Resolution Approving And Authorizing The City Manager Or Her Designee To Submit The Following Grant Applications: 1) Florida Inland Navigation District For Funding In The Approximate Amount Of \$280,000 For Shoreline Reconstruction Of Normandy Shores Park Seawall; 2) Florida Inland Navigation District For Funding In The Approximate Amount Of \$160,000 For Design Of Indian Creek Park Seawall; 3) Florida Inland Navigation District For Funding In The Approximate Amount Of \$40,000 For A Parks Blueways Plan; 4) The Florida Department Of Agriculture And Consumer Services, Urban Forestry Program, In The Approximate Amount Of \$10,000 For Tree Plantings; And, 5) State Of Florida, Department Of Health, For Funding In The Approximate Amount Of \$40,000 For Equipment Related To Pre-Hospital Emergency Services; Appropriating The Above Funds, If Approved And Accepted By The City, And Authorizing The Execution Of All Necessary Documents Related To These Applications. (Budget & Performance Improvement)

**ACTION: Resolution No. 2013-28146 adopted.**

**March 13, 2013**

**12:01:24 a.m.**

**2013-28147**

**SUPPLEMENTAL (Resolution)**

C7B A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee Automatically Withdrawing Items Referred To City Commission Committees If Not Heard Within Six (6) Months From Its Referral Date And Recommending Inclusion Of A Report In City Commission Agenda Transmitting A List Of Withdrawn Items. (City Manager's Office)

**ACTION: Item separated for discussion by Commissioners Góngora and Tobin. Resolution No. 2013-28147 adopted.** Motion made by Commissioner Weithorn; seconded by Vice Mayor Wolfson Voice vote: 5-0; Absent: Commissioners Libbin and Tobin.

**March 13, 2013**

**12:06:05 a.m.**

**2013-28148**

C7C A Resolution Accepting A Donation Of Surplus Funds From The Miami Beach Health Facilities Authority ("MBHFA") Account, Pursuant To A Resolution Of The MBHFA Adopted At Its February 20, 2013 Meeting, In The Amount Of \$715,331, For Appropriation And Disbursement By The City To Non-Profit Human Health Service Agencies, As Provided In Section 154.209(14), Florida Statutes; Provided Further That The MBHFA Recommends That Such Surplus Funds Be Appropriated And Disbursed As Follows: \$150,000 To Provide Continued Support To Miami Beach Community Health Center, Inc.; And 2) \$565,331 To Mount Sinai Medical Center, To Be Used For Its Miami Beach Resident Indigent Care Program To Provide Treatment For Unfunded Residents Of The City Of Miami Beach. (Finance Department)

**ACTION: Item separated for discussion by Commissioner Weithorn. Resolution No. 2013-28148 adopted.** Motion made by Commissioner Weithorn; seconded by Commissioner Góngora; Voice vote; 5-0; Absent: Commissioners Libbin and Tobin.

**March 13, 2013**

**12:04:12 a.m.**

**2013-28149**

C7D A Resolution Consenting To And Confirming The Appointment Of Jay Fink As The Acting Director Of The Public Works Department For The City Of Miami Beach. (Human Resources)

**ACTION: Item separated for discussion by Commissioner Weithorn. Resolution No. 2013-28149 adopted as amended, that Jay Fink remain as the Deputy Director of the Public Works Department, but assume the responsibilities of the Director until such time as the new City Manager makes his assessment.** Motion made by Commissioner Weithorn; seconded by Vice-Mayor Wolfson; Voice vote; 5-0; Absent: Commissioners Libbin and Tobin.

**March 13, 2013**

**2013-28150**

C7E A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee At Its January 28, 2013 Meeting To Install A Fence Around The Perimeter Of The Scott Rakow Youth Center Playfield.

(Parks & Recreation)

**ACTION: Resolution No. 2013-28150 adopted.**

**March 13, 2013**

**2013-28151**

**SUPPLEMENTAL (Resolution)**

C7F A Resolution Approving, Pursuant To Section 2-367(d) Of The Miami Beach City Code, The Sole Source Purchase Of Beach Access Accessibility "Mobi-Mats" From Deschamps Mat Systems, Inc. (D.B.A. DMS), The Exclusive Distributor Of The Access Mats, In The Annual Estimated Amount Of \$86,731.68, For A Period Of (3) Three Years.(Property Management/Procurement)

**ACTION: Resolution No. 2013-28151 adopted.**

**March 13, 2013**

**2013-28152**

**1:47:58 p.m.**

C7G A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Amendment To The Joint Participation Agreement, Executed On October 17, 2012, With The State Of Florida Department Of Transportation, For The Construction Of Drainage Improvements On S.R. 907/Alton Road At 10th Street.

(Public Works)

**ACTION:** Item separated for discussion by Commissioner Libbin. **Resolution No. 2013-28152 adopted.** Motion made by Commissioner Libbin; seconded by Commissioner Weithorn; Voice vote: 6-0: Absent: Commissioner Tobin.

**March 13, 2013**

**2013-28153**

**SUPPLEMENTAL (Resolution)**

C7I A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee And Approving And Authorizing The Mayor And City Clerk To Execute An Amendment To The Lease Agreement Between The City And MDGLCC Foundation, Inc., Dated March 10, 2010, Involving The Use Of Approximately 2,543 Square Feet Of Office Space Located At Historic City Hall, 1130 Washington Avenue, 1st Floor North, Miami Beach, Florida; Said Amendment Providing A Rent Reduction. (Real Estate, Housing & Community Development)

**ACTION: Resolution No. 2013-28153 adopted.**

**March 13, 2013**

**2013-28154**

**12:15:06 a.m.**

C7J A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee Requesting The Miami Beach Visitor And Convention Authority To Serve As The Host Committee For The City Of Miami Beach Centennial, Which Will Occur On March 26, 2015. (Tourism & Cultural Development)

**ACTION: Item separated for discussion by Commissioner Libbin. Resolution No. 2013-28154 adopted.** Motion made by Commissioner Weithorn seconded by Vice-Mayor Wolfson; Voice vote; 5-0; absent: Commissioners Libbin and Tobin

**March 13, 2013**

**2013-28155**

**12:15:06 a.m.**

C7K A Resolution Accepting The Recommendation Of The Interim City Manager Pertaining To The Ranking Of Firms, Pursuant To Request For Qualifications (RFQ) No. 56-11/12, For The Purpose Of Conducting And Documenting A Detailed Facilities Condition Assessment Of Various Buildings/Assets Owned By The City Of Miami Beach, And To Develop A Schedule For Assets And Equipment Replacement Within The Buildings/Assets To Include Current And Projected Future Replacement Costs; Authorizing The Administration To Enter Into Negotiations With All Three Proposers: Bermello Ajamil & Partners, Inc.; Nova Engineering And Environmental, LLC.; And VFA, Inc.; And Further Authorizing The Mayor And City Clerk To Execute Agreements Upon Conclusion Of Successful Negotiations By The Administration. (Property Management/Procurement)

**ACTION: Item separated for discussion by Commissioner Libbin. Resolution No. 2013-28155 adopted.** Motion made by Commissioner Weithorn seconded by Vice-Mayor Wolfson; Voice vote; 5-0; absent: Commissioners Libbin and Tobin.

**March 13, 2013**

**2013-28156**

**11:45:43 p.m.**

C7L A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Proposals, Pursuant To Request For Proposals (RFP) No. 022-2013ME, For Call Center Services; Authorizing The Administration To Enter Into Negotiations With The Top-Ranked Proposers, 1-800 We Answer; And Should The Administration Not Be Successful In Negotiating An Agreement With The Top-Ranked Proposer, Authorizing Negotiations With The Second-Ranked Proposer, Inktel Government BPO Services; And Should The Administration Not Be Successful In Negotiating An Agreement With The Second-Ranked Proposer, Authorizing Negotiations With The Third-Ranked Proposer, IVOX Solutions, LLC.; Further Authorizing The Mayor And City Clerk To Execute An Agreement Upon Conclusion Of Successful Negotiations By The Administration. (Finance/Parking/Fire/Procurement)

**ACTION: Item separated for discussion by Vice-Mayor Wolfson and Commissioner Exposito.**

**Resolution No. 2013-28156 adopted as amended.** Motion made by Vice-Mayor Wolfson to award the contract to Inktel; seconded by Commissioner Exposito: Voice vote: 3-2; Opposed: Mayor Bower; and Commissioner Weithorn; Absent: Commissioners Libbin and Tobin.

**March 13, 2013**

**2013-28157**

**12:01:24 a.m.**

**SUPPLEMENTAL (Resolution)**

C7M A Resolution Waiving By 5/7th Votes, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The City Manager To Purchase Vehicles Pursuant To The Florida Sheriffs Association Contract No. 12-20-0905. (Fleet Management)

**(Memorandum & Resolution to be Submitted in Supplemental)**

**ACTION: Item separated for discussion by Commissioner Libbin. Resolution No. 2013-28157 adopted.** Motion made by Commissioner Weithorn; seconded by Vice Mayor Wolfson Voice vote: 5-0; Absent: Commissioners Libbin and Tobin.

**March 13, 2013**

**2013-28158**

**12:01:24 a.m.**

C7N A Resolution Accepting The Recommendation Of The Interim City Manager Pertaining To The Ranking Of Firms, Pursuant To Request For Qualifications (RFQ) No. 52-11/12, For Professional Construction Engineering And Inspection (CEI) Firms To Provide Various CEI Services On An "As Needed" Basis; Authorizing The Mayor And City Clerk To Execute Agreements Upon Completion Of Successful Negotiations With The Five Top-Ranked Proposers: Atkins North America, Inc., Bermello Ajamil & Partners, Inc., Chen Moore And Associates, Corzo Castella Carballo Thompson Salman, P.A. (C3TS), And Parson Brinckerhoff, Inc. (Capital Improvement Projects/Procurement)

**ACTION: Item separated for discussion by Commissioners Libbin and Tobin. Resolution No. 2013-28158 adopted.** Motion made by Commissioner Weithorn; seconded by Vice Mayor Wolfson Voice vote: 5-0; Absent: Commissioners Libbin and Tobin.

**March 13, 2013**

**2013-28159**

**ADDENDUM**

C7O A Resolution Rescinding Resolution No. 2013-28115 Which Created The Mayor's Ad Hoc Committee To Plan The 2013 Sustainable & Authentic Florida Conference And Dissolving Said Committee.

(Requested by Mayor Matti Herrera Bower) (Legislative Tracking: City Attorney's Office)

**ACTION: Resolution No. 2013-28159 adopted.**

**March 13, 2013**

**2013-28160**

**5:53:51 p.m.**

**SUPPLEMENTAL AGENDA: (Memorandum & Resolution)**

**SUPPLEMENTAL AGENDA 2: Palau Sunset Harbor, LLC's Response to Sunset Islands 3 & 4 Property Owners, Inc.'s and Olga Lens' Petition to Reverse Design Review Board Decision.)**

**SUPPLEMENTAL AGENDA 3: (Supplemental Appendix Petition to Reverse DRB Decision from W. Tucker Gibbs, P.A.)**

R7A A Resolution [Granting Or Denying] An Appeal Request Filed By W. Tucker Gibbs, P.A., On Behalf Of Sunset Islands 3 And 4 Property Owners, Inc. And Olga Lens, Of The Design Review Board's Order Relative To DRB File No. 22889 For 1201-1237 20th Street, Palau At Sunset Harbor. **5:01 p.m. Public Hearing** (Planning Department)

**ACTION: Public Hearing held. Resolution approved/Appeal Granted. Resolution 2013-28160.** Motion made by Commissioner Góngora to remand to the DRB for the limited purpose of allowing the Board Members to discuss and identify the view corridors, and to allow the Board Members to make their required disclosure of ex-parte communications, pursuant to Section 2-52 of the Miami Beach Code, if any; seconded by Vice-Mayor

Wolfson; Voice vote 6-1; Opposed Commissioner Libbin.

**March 13, 2013**

**2013-28161**

**12:52:35 p.m.**

R7B A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A Guaranteed Maximum Price (GMP) Amendment No. 1, To The Pre-Construction Services Agreement With Thornton Construction Company, Inc., For The Construction Of The 6th Street Restrooms In The Amount Of \$614,322; 53rd Street Restrooms And Ocean Rescue Building In The Amount Of \$586,171, And The Provision Of A Temporary Office Trailer For Ocean Rescue In The Amount Of \$24,704, For A Subtotal Project Cost In The Amount Of \$1,225,197, Plus An Owner's Project Contingency Of \$110,268, For A Grand Total Of \$1,335,465; With Previously Appropriated Funding In The Amount Of \$568,439 From SP Post RDA CDT And Municipal Resort Tax Fund 388, \$101,172 From SB Quality Of Life Resort Tax Fund 305, \$665,854 From Capital Projects Not Financed By Bonds Fund 301. (Capital Improvement Projects)

**ACTION: Resolution No. 2013-28161 adopted.** Vice-Mayor Wolfson made a motion, to have the following two processes occur simultaneously: first process is to have Commissioner Tobin sit down with the numbers (the cost of the project), study them and come back next month and report to the Commission, and the second process will be immediately to start the Invitation to Bid process for the two bathrooms; seconded by Commissioner Exposito; Voice-vote: 7-0.

**March 13, 2013**

**2013-28162**

**5:04:18 p.m.**

R7C A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 13, To The Existing Professional Services Agreement Between The City And Chen Moore & Associates, Inc., Dated September 8, 2004, For The City Center Right-Of-Way Neighborhood Improvement Project Bid Packages 9A And 9B; In The Negotiated Not-To-Exceed Amount Of \$145,044, Plus An Additional Amount Of \$2,000 For Approved Reimbursable Expenses, For A Grand Total Of \$147,044; To Provide Extended Construction Administration And Resident Project Representative Services Until Project Completion; With Previously Appropriated Funding From The City Center RDA Fund 365. (Capital Improvement Projects)

**ACTION: Resolution No. 2013-28162 adopted.** Motion made by Commissioner Tobin to approve the resolution; seconded by Commissioner Góngora; Voice vote 6-0; Absent: Vice-Mayor Wolfson.

**March 13, 2013**

**2013-28163**

**10:56:45 p.m.**

R7D A Resolution Authorizing The Mayor And City Clerk To Execute Amendment No. 2 To The Construction Contract Between The City And Lanzo Construction Co., Florida, For The Construction Of The City Of Miami Beach Right Of Way Infrastructure Improvement Program, Neighborhood No. 8 Central Bayshore (Package A) And Lake Pancoast (Package C); Dated April 8, 2011; Said Amendment In The Not-To-Exceed Amount Of \$3,385,441, For The Construction Of The Additional Scope Of Work Approved Under Resolution No. 2012-27972, Which Includes The Homeowner Association (HOA) Requested Roadway Width And Landscape Items, Providing Additional Stormwater Upgrades To The Area Known As Zone 4 In The Basis Of Design Report (BODR), And Providing Milling And Re-Surfacing Of The Roadway (In Lieu Of Asphalt Overlay) For The Remaining Areas Within Package A; With Previously Appropriated Funding In The FY 2012/13 Capital Budget, In The Amount Of \$3,385,441 For Construction, And \$338,545 For Contingency, For A Grand Total Of \$3,723,986. (Capital Improvement Projects)

**ACTION: Resolution No. 2013-28163 adopted.** Motion made by Commissioner Weithorn to approve the resolution and refer to the Finance and Citywide Projects Committee for discussion the bike lanes for the meeting next week; seconded by Commissioner Exposito; Voice vote 7-0.

**March 13, 2013**

**2013-28164**

**1:52:50 p.m.**

R7E A Resolution Approving A Contract Award, Pursuant To Invitation To Bid No. 49-11/12, For The Right-

Of-Way Infrastructure Improvement Program - Venetian Islands Bid Package 13C; Authorizing The Mayor And City Clerk To Award A Construction Contract To Lanzo Construction Co. Florida, In The Amount Of \$9,699,509 Base Bid Plus \$640,028 For Selected Alternates And A Project Contingency In The Amount Of \$1,033,954; For A Total Construction Cost Of \$11,373,491 From Previously Appropriated Funding In The Capital Budget From The Following Funds: \$2,842,713 From Fund 384 - 2003 Go Bonds - Neighborhood Improvements; \$2,336,942 From Fund 420 - W&S GBL Series 2010; \$130,484 From Fund 423 - Gulf Breeze 2006; \$450,275 From Fund 425 - Water & Sewer Enterprise Fund; \$1,357,846 From Fund 427 - Stormwater Enterprise Fund; And \$2,254,223 From Fund 431 - Stormwater Bond Fund 2011; And An Additional \$1,003,062 In Water & Sewer Funds And \$977,946 In Stormwater Funds Subject To The 2<sup>nd</sup> Amendment To The Capital Budget For Fiscal Year 2012/13; And Further Authorizing The Administration To Engage In Value Engineering To Further Reduce The Cost And Time For Completion Of Said Project. (Capital Improvement Projects/Procurement)  
**ACTION: Resolution No. 2013-28164 adopted.** Motion made by Commissioner Tobin to approve the resolution, subject to approval of budget in R7I; seconded by Vice-Mayor Wolfson; Voice vote 7-0.

**March 13, 2013**

**2013-28165**

**5:09:10 p.m.**

R7H A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Amendment To The Professional Services Agreement Between The City Of Miami Beach And Strategic Advisory Group Dated October 19, 2011 For Consulting Services Relative To The Expansion And Enhancement Of The Miami Beach Convention Center Campus/District In An Amount Not To Exceed \$240,945, Including All Reimbursable Expenses, With Previously Appropriated Funds From FY 2012/2013 Operating Budget Fund 168 RDA City Center Operations. (City Manager's Office)

**ACTION: Resolution No. 2013-28165 adopted.** Motion made by Commissioner Tobin to approve the resolution; seconded by Commissioner Exposito; Voice vote 6-0; Absent; Vice-Mayor Wolfson.

**March 13, 2013**

**2013-28166**

**5:10:29 p.m.**

**SUPPLEMENTAL (Resolution)**

R7I A Resolution Adopting The Second Amendment To The Capital Budget For Fiscal Year 2012/13. (Budget & Performance Improvement)

**ACTION: Resolution No. 2013-28166 adopted.** Motion made by Commissioner Góngora to approve the resolution; seconded by Commissioner Exposito; Voice vote 6-0; Absent: Vice-Mayor Wolfson.

**March 13, 2013**

**2013-28167**

**5:14:02 p.m.**

R7J A Resolution Opposing The Expenditure Of Any Public Funds For Renovations To Dolphin Stadium. (Requested by Commissioner Edward L. Tobin) (Legislative Tracking: City Attorney's Office)

**ACTION: Resolution No. 2013-28167 adopted.** Motion made by Commissioner Tobin to approve the resolution; seconded by Commissioner Góngora; Voice vote 6-0; Absent: Vice-Mayor Wolfson.

**March 13, 2013**

**2013-28168**

**05:05:07 p.m.**

**SUPPLEMENTAL (Resolution)**

R7L A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee Pertaining To A Proposed Amendment No. 3 To That Certain Retail Lease Agreement By And Between The City Of Miami Beach, The Miami Beach Redevelopment Agency (Collectively, Lessor) And Penn 17, LLC (Lessee), Dated September 16, 2011, Involving The Lease Of Approximately 7,655 Square Feet Of Ground Floor Retail Space At The Pennsylvania Avenue Garage, 1661 Pennsylvania Avenue, Miami Beach, Florida; Recommending That, As Part Of Said Amendment, The Mayor And City Commission Approve The Following Amended Schedule Of Rent: 1) Applying One Third (1/3) Of The Lessee's Existing Security Deposit,

Representing \$47,844, Toward Base Rent Owed For The Month Of November 2012; 2) Deferring \$8,474 For Common Area Maintenance (CAM) For November 2012, And Base Rent, Plus CAM, For December 2012, In The Total Amount Of \$64,792 (Hereinafter Referred To As The Back-Due Rent); 3) Approving An Abatement Of Fifty Percent (50%) Of The Base Rent And CAM Due For The Six (6) Month Period Commencing January 13, 2013 Through July 12, 2013; 4) Deferring Fifty Percent (50%) Of The Base Rent And CAM For The Six (6) Month Period Commencing July 13, 2013 Through January 12, 2014; And, 5) Providing For Re-Payment By Lessee Of The One Third Security Deposit And Re-Payment Of The Back-Due Rent For November And December, 2012; All In Accordance With The Payment Schedule Attached As Exhibit "A" Hereto; Further Setting Of A Public Hearing By The City For April 17, 2013, Regarding Lessee's Proposal To Add An Entertainment Component As A New Proposed Use On The Lease Premises (And As Part Of Lessee's Proposal To "Re-Brand" And Re-Open The Premises), And As Required By Section 142-362 Of The City Code. **Joint City Commission and Redevelopment Agency** (Real Estate, Housing & Community Development)

**ACTION: Resolution No. 2013-28168 adopted.** Item heard in conjunction with RDA 1A. Motion made by Commissioner Weithorn to approve the resolution; seconded by Commissioner Góngora; Voice vote 5-1; Opposed: Commissioner Libbin; Absent: Vice-Mayor Wolfson.

**March 13, 2013**

**2013-28169**

**ADDENDUM 2:**

**5:21:14 p.m.**

R9J Discuss Resolution Urging The Florida Legislature To Grant Sales Tax Rebates To Benefit The Proposed Redevelopment Of The Miami Beach Convention Center In The Event That SB 306 Is Adopted By The Florida Legislature And Miami-Dade County Voters Approve A Referendum Allowing Sales Tax Rebates To Benefit Dolphin Stadium.

(Requested by Commissioner Deede Weithorn)

**ACTION:** Discussion held. **Resolution 2013-28169 adopted.** Motion made by Commissioner Weithorn to adopt the resolution; seconded by Commissioner Exposito; Voice vote: 6-0; Absent: Vice-Mayor Wolfson.

**March 13, 2013**

**2013-28170**

**ADDENDUM 2:**

**12:18:45 a.m.**

R9K Discuss Resolution Urging The Miami-Dade County Board Of Commissioners And County Mayor To Oppose Contracting The "Airport City" Project To A Company That Violates The Intent Of CS/CS/HB 959 Prohibiting The State And Local Governments From Entering Into Contracts With Companies Engaged In Business Operations In Cuba Or Syria. (Requested by Vice-Mayor Jonah Wolfson)

**ACTION:** Discussion held. **Resolution 2013-28170 adopted.** Motion made by Vice-Mayor Wolfson; seconded by Commissioner Góngora; Voice-vote: 5-0; Absent: Commissioners Libbin and Tobin.

## **April 17, 2013**

**April 17, 2013**

**C7A**

A Resolution Approving And Authorizing The City Manager Or His Designee To Submit The Following Applications: 1) A Grant Application To The Children's Trust Service Partnership Program For Funding, In The Approximate Amount Of \$720,000, For The City's Success University Program; 2) A Grant Application To The State Of Florida, Division Of Emergency Management, For Federal Funding From The U.S. Department Of Homeland Security, Federal Emergency Management Agency (FEMA), Hazard Mitigation Grant Program, In The Approximate Amount Of \$120,000, For The Window Replacement Project At The Miami Beach Botanical Garden; 3) A Request To Negotiate And Execute A Contract Renewal With The Children's Trust For The City's Out-Of-School Program, In The Approximate Amount Of \$310,000, To Provide Afterschool And Summer Services; 4) A Request To Negotiate And Execute A Contract Renewal With The Children's Trust For The

Early Childhood Development Program In The Approximate Amount Of \$150,000, For The City's Parent-Child Home Program; And, Retroactively For: 5) An Application To The Re.Invest Initiative For Expertise And Staffing Support Relative To Sustainable Urban Infrastructure; And 6) A Request For Water Project Funding To The House Agriculture And Natural Resources Subcommittee In The Amount Of \$500,000, For The Bayshore Neighborhood Right Of Way Improvements Project (Lower North Bay Road); Authorizing The Execution Of All Necessary Documents Related To These Applications, Including, Without Limitation, Audits Of Such Grants, And Authorizing The City Manager Or His Designee To Take All Necessary Actions Related To These Grants. (Budget & Performance Improvement)

**ACTION: Resolution 2013-28170 adopted.**

**April 17, 2013**

**10:46:57 a.m.**

**11:57:12 a.m.**

**C7B** A Resolution Accepting A Donation In The Amount Of \$10,000.00 From The Miami Beach Education Foundation From Proceeds Of The Miami Beach Chamber Of Commerce's Annual Golf Tournament To Be Utilized By The City Of Miami Beach's International Baccalaureate (IB) Educational Program, And Appropriating The \$10,000.00 Donation To City's IB Program.

(Requested by Commissioner Jerry Libbin)

(Legislative Tracking: Budget & Performance Improvements)

**ACTION: Resolution No. 2013-28171 adopted.** Item separated by Commissioner Libbin. Motion made by Commissioner Exposito; seconded by Commissioner Góngora.

Commissioner Libbin separated the item as it relates to a donation by the Chamber of Commerce to the City and recused himself.

**April 17, 2013**

**C7C** A Resolution Retroactively Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 2, To The Existing Professional Architecture & Engineering Services Agreement Between The City Of Miami Beach And Schwebke-Shiskin & Associates, Inc. (SSA), Dated December 14, 2011, For The Bayshore Neighborhood No. 8E - Sunset Islands I & II Right Of Way Project; In The Negotiated Not-To-Exceed Amount Of \$107,098; To Provide Extended Resident Project Representation And Additional Consulting Services During Construction Of The Project; With Previously Appropriated Funding. (Capital Improvement Projects)

**ACTION: Resolution No. 2013-28172 adopted.**

**April 17, 2013**

**C7D** A Resolution Approving The Second Year Renewal Option To The Professional Services Agreement Between The City And RBC Dain Rauscher, Inc., Now Known As RBC Capital Markets, LLC, Dated March 14, 2007, For Financial Advisory Services; Said Renewal Term Having Been Deemed To Commence Retroactively On March 15, 2013, And Ending On March 14, 2014. (Finance Department)

**ACTION: Resolution No. 2013-28173 adopted.**

#### **SUPPLEMENTAL 1: Resolution**

**C7E** A Resolution Authorizing The Donation Of Two (2) Freightliner FL60 Ambulances, In "As Is" Condition, To Our Sister City Of Ica, Peru; And Authorizing The Donation Of Fifteen (15) Incomplete Sets Of Firefighting Protective Clothing, Forty-Five (45) Sections Of Hose, And Ten (10) Self Contained Breathing Apparatus (SCBA), In "As Is" Condition, To Our Sister City Of Cozumel, Mexico.

(Requested by Mayor Matti Herrera Bower)

(Legislative Tracking: Fire Department)

**ACTION: Resolution No. 2013-28174 adopted**

City Clerk's Note: City Manager instructed Chief Otero to develop guidelines for future donations. Alex Denis to assist Chief Otero in this matter.

**April 17, 2013**



C7F A Resolution Approving An Extension To The Services Framework Agreement Between The City And Parkeon, Inc., For Technical Support Services, Parkfolio And Online Credit Card Processing, Maintenance, And Extended Hardware Warranty; Said Amendment Commencing On July 1, 2013 And Expiring On June 30, 2014; Further Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 1 To The Agreement.

(Parking Department)

**ACTION: Resolution No. 2013-28175 adopted.**

**April 17, 2013**

C7G A Resolution Accepting The Recommendation Of The Joint Neighborhood/Community Affairs And Land Use And Development Committees, And Authorizing The City Manager To Negotiate And Execute An Interlocal Agreement With The Miami-Dade Metropolitan Planning Organization For A Mass Transit Connectivity Feasibility Study To Be Conducted By The Miami-Dade Metropolitan Planning Organization; And Further Allocating \$25,000 Towards The Total Cost Of The Feasibility Study.

(Public Works)

**ACTION: Resolution No. 2013-28176 adopted.**

**April 17, 2013**

C7H A Resolution Setting A Public Hearing To Consider A Revocable Permit Request By The Ungar-Marshall Company To Permit Two Encroachments Into The Rights-Of-Way Adjacent To The Retail Property Located At 1100 Lincoln Road (The GAP Store): 1) A Proposed Metal Canopy With Horizontal Dimensions Not To Exceed Five Feet Eleven Inches (5'-11") Along Michigan Avenue, Six Feet (6') Along Lincoln Road Mall, And Ten Feet Four Inches (10'-4") Above The Sidewalk; And 2) A Proposed Concrete Eyebrow, Having Horizontal Dimensions Not To Exceed A Length Of 6 Feet (6') Along Lincoln Road And Michigan Avenue, At A Height Of Approximately 30 Feet (30'-00") Above The Sidewalk.

(Public Works)

**ACTION: Resolution No. 2013-28177 adopted.**

**April 17, 2013**

C7I A Resolution Approving And Adopting The City Of Miami Beach Local Housing Assistance Plan (LHAP) For The State Housing Initiatives Partnership (SHIP) Program For Fiscal Years 2013/2014, 2014/2015, And 2015/2016, As Required By The State Housing Initiatives Partnership Program Act, Subsections 420.907 - 420.9079; Authorizing Execution Of The Necessary Certifications By The Mayor And The City Clerk; Authorizing Submission Of The Local Housing Assistance Plan To The Florida Housing Finance Corporation For Its Review And Approval; Authorizing The Appropriation Of SHIP Program Funds For Fiscal Years 2013/2014, 2014/2015 And 2015/2016 In Amounts To Be Determined By The State Of Florida Or Such Final Allocation Amounts As Adjusted By The Florida Housing Finance Corporation; And Authorizing The Appropriation Of Any Interest Accrued Thereon For Eligible Activities Under The SHIP Program Rules.

(Real Estate, Housing & Community Development)

**ACTION: Resolution No. 2013-28178 adopted.**

**April 17, 2013**

C7J A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee Waiving The Square Footage And Lummus Park User Fees For Gay Pride 2013.

(Tourism & Cultural Development)

**ACTION: Resolution No. 2013-28179 adopted.**

**April 17, 2013**

C7K A Resolution Waiving, By A 5/7ths Vote, The Formal Competitive Bidding Requirements, Finding Such Waiver To Be In The City's Best Interest, And Authorizing The Purchase Of Food And Snacks From Publix, Costco, Gordon Foods, And BJ's Wholesale To Be Consumed By: A) The City's Parks And Recreation Department's Participants In Their After-School Programs, Summer Camps, Special Events And Other Programmed Activities, And B) Other Departments And Offices Citywide, As Approved In Their Respective Annual Budgets; Said Waiver Shall Be Authorized For A Period Of Three (3) Years, On A Year-To-Year Basis,

Contingent Upon City Commission Approval Of The Departments' Related Budget Allocation(s) During The Adoption Of The City's Annual Budget.

(Parks & Recreation)

**ACTION: Resolution No. 2013-28180 adopted.**

**April 17, 2013**

**SUPPLEMENTAL 1: Resolution**

C7L A Resolution Exercising A Month-To-Month Extension Of The Agreement Between The City And Clear Channel Adshel Inc., To Construct, Operate And Maintain Directory Structures In The Lincoln Road Area; Which Expires On April 17, 2013; With Said Extension Commencing On April 18, 2013, And Terminating, For Convenience And Without Cause, At Such Time As New Directory Structures Are Replaced And Installed.

(Public Works)

**ACTION: Resolution No. 2013-28181 adopted.**

**April 17, 2013**

**SUPPLEMENTAL 1: Resolution**

C7M A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Amendment To The Professional Services Agreement With Industrial/Organizational Solutions, Inc., Approved By The City Commission On July 18, 2012. Said Amendment To Provide Additional Testing Services During The First Contract Year For Police And Fire Entry Level Positions; And Requesting Additional Funding, In An Amount Not To Exceed \$70,000.

(Human Resources)

**ACTION: Resolution No. 2013-28182 adopted.**

**April 17, 2013**

**SUPPLEMENTAL 2: Resolution**

C7N A Resolution Accepting A Donation For Monument Island.

(Requested By Commissioner Michael Góngora)

(Legislative Tracking: City Attorney's Office)

**ACTION: Resolution No. 2013-28183 adopted.** Kevin Smith, Richard Lorber and Eric Carpenter to handle. C7A A Resolution Approving And Authorizing The City Manager Or His Designee To Submit The Following Applications: 1) A Grant Application To The Children's Trust Service Partnership Program For Funding, In The Approximate Amount Of \$720,000, For The City's Success University Program; 2) A Grant Application To The State Of Florida, Division Of Emergency Management, For Federal Funding From The U.S. Department Of Homeland Security, Federal Emergency Management Agency (FEMA), Hazard Mitigation Grant Program, In The Approximate Amount Of \$120,000, For The Window Replacement Project At The Miami Beach Botanical Garden; 3) A Request To Negotiate And Execute A Contract Renewal With The Children's Trust For The City's Out-Of-School Program, In The Approximate Amount Of \$310,000, To Provide Afterschool And Summer Services; 4) A Request To Negotiate And Execute A Contract Renewal With The Children's Trust For The Early Childhood Development Program In The Approximate Amount Of \$150,000, For The City's Parent-Child Home Program; And, Retroactively For: 5) An Application To The Re.Invest Initiative For Expertise And Staffing Support Relative To Sustainable Urban Infrastructure; And 6) A Request For Water Project Funding To The House Agriculture And Natural Resources Subcommittee In The Amount Of \$500,000, For The Bayshore Neighborhood Right Of Way Improvements Project (Lower North Bay Road); Authorizing The Execution Of All Necessary Documents Related To These Applications, Including, Without Limitation, Audits Of Such Grants, And Authorizing The City Manager Or His Designee To Take All Necessary Actions Related To These Grants.

(Budget & Performance Improvement)

**ACTION: Resolution 2013-28170 adopted.**

**April 17, 2013**

**10:46:57 a.m.**

**11:57:12 a.m.**

C7B A Resolution Accepting A Donation In The Amount Of \$10,000.00 From The Miami Beach Education Foundation From Proceeds Of The Miami Beach Chamber Of Commerce's Annual Golf Tournament To Be

Utilized By The City Of Miami Beach's International Baccalaureate (IB) Educational Program, And Appropriating The \$10,000.00 Donation To City's IB Program.

(Requested by Commissioner Jerry Libbin)

(Legislative Tracking: Budget & Performance Improvements)

**ACTION: Resolution No. 2013-28171 adopted.** Item separated by Commissioner Libbin. Motion made by Commissioner Exposito; seconded by Commissioner Góngora.

Commissioner Libbin separated the item as it relates to a donation by the Chamber of Commerce to the City and recused himself.

**April 17, 2013**

C7C A Resolution Retroactively Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 2, To The Existing Professional Architecture & Engineering Services Agreement Between The City Of Miami Beach And Schwebke-Shiskin & Associates, Inc. (SSA), Dated December 14, 2011, For The Bayshore Neighborhood No. 8E - Sunset Islands I & II Right Of Way Project; In The Negotiated Not-To-Exceed Amount Of \$107,098; To Provide Extended Resident Project Representation And Additional Consulting Services During Construction Of The Project; With Previously Appropriated Funding.

(Capital Improvement Projects)

**ACTION: Resolution No. 2013-28172 adopted.**

**April 17, 2013**

C7D A Resolution Approving The Second Year Renewal Option To The Professional Services Agreement Between The City And RBC Dain Rauscher, Inc., Now Known As RBC Capital Markets, LLC, Dated March 14, 2007, For Financial Advisory Services; Said Renewal Term Having Been Deemed To Commence Retroactively On March 15, 2013, And Ending On March 14, 2014.

(Finance Department)

**ACTION: Resolution No. 2013-28173 adopted.**

**April 17, 2013**

**SUPPLEMENTAL 1: Resolution**

C7E A Resolution Authorizing The Donation Of Two (2) Freightliner FL60 Ambulances, In "As Is" Condition, To Our Sister City Of Ica, Peru; And Authorizing The Donation Of Fifteen (15) Incomplete Sets Of Firefighting Protective Clothing, Forty-Five (45) Sections Of Hose, And Ten (10) Self Contained Breathing Apparatus (SCBA), In "As Is" Condition, To Our Sister City Of Cozumel, Mexico.

(Requested by Mayor Matti Herrera Bower)

(Legislative Tracking: Fire Department)

**ACTION: Resolution No. 2013-28174 adopted.**

City Clerk's Note: City Manager instructed Chief Otero to develop guidelines for future donations. Alex Denis to assist Chief Otero in this matter.

**April 17, 2013**

C7F A Resolution Approving An Extension To The Services Framework Agreement Between The City And Parkeon, Inc., For Technical Support Services, Parkfolio And Online Credit Card Processing, Maintenance, And Extended Hardware Warranty; Said Amendment Commencing On July 1, 2013 And Expiring On June 30, 2014; Further Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 1 To The Agreement.

(Parking Department)

**ACTION: Resolution No. 2013-28175 adopted.**

**April 17, 2013**

C7G A Resolution Accepting The Recommendation Of The Joint Neighborhood/Community Affairs And Land Use And Development Committees, And Authorizing The City Manager To Negotiate And Execute An Interlocal Agreement With The Miami-Dade Metropolitan Planning Organization For A Mass Transit

Connectivity Feasibility Study To Be Conducted By The Miami-Dade Metropolitan Planning Organization; And Further Allocating \$25,000 Towards The Total Cost Of The Feasibility Study.

(Public Works)

**ACTION: Resolution No. 2013-28176 adopted.**

**April 17, 2013**

C7H A Resolution Setting A Public Hearing To Consider A Revocable Permit Request By The Ungar-Marshall Company To Permit Two Encroachments Into The Rights-Of-Way Adjacent To The Retail Property Located At 1100 Lincoln Road (The GAP Store): 1) A Proposed Metal Canopy With Horizontal Dimensions Not To Exceed Five Feet Eleven Inches (5'-11") Along Michigan Avenue, Six Feet (6') Along Lincoln Road Mall, And Ten Feet Four Inches (10'-4") Above The Sidewalk; And 2) A Proposed Concrete Eyebrow, Having Horizontal Dimensions Not To Exceed A Length Of 6 Feet (6') Along Lincoln Road And Michigan Avenue, At A Height Of Approximately 30 Feet (30'-00") Above The Sidewalk.

(Public Works)

**ACTION: Resolution No. 2013-28177 adopted.**

**April 17, 2013**

C7I A Resolution Approving And Adopting The City Of Miami Beach Local Housing Assistance Plan (LHAP) For The State Housing Initiatives Partnership (SHIP) Program For Fiscal Years 2013/2014, 2014/2015, And 2015/2016, As Required By The State Housing Initiatives Partnership Program Act, Subsections 420.907 - 420.9079; Authorizing Execution Of The Necessary Certifications By The Mayor And The City Clerk; Authorizing Submission Of The Local Housing Assistance Plan To The Florida Housing Finance Corporation For Its Review And Approval; Authorizing The Appropriation Of SHIP Program Funds For Fiscal Years 2013/2014, 2014/2015 And 2015/2016 In Amounts To Be Determined By The State Of Florida Or Such Final Allocation Amounts As Adjusted By The Florida Housing Finance Corporation; And Authorizing The Appropriation Of Any Interest Accrued Thereon For Eligible Activities Under The SHIP Program Rules.

(Real Estate, Housing & Community Development)

**ACTION: Resolution No. 2013-28178 adopted.**

**April 17, 2013**

C7J A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee Waiving The Square Footage And Lummus Park User Fees For Gay Pride 2013.

(Tourism & Cultural Development)

**ACTION: Resolution No. 2013-28179 adopted.**

**April 17, 2013**

C7K A Resolution Waiving, By A 5/7ths Vote, The Formal Competitive Bidding Requirements, Finding Such Waiver To Be In The City's Best Interest, And Authorizing The Purchase Of Food And Snacks From Publix, Costco, Gordon Foods, And BJ's Wholesale To Be Consumed By: A) The City's Parks And Recreation Department's Participants In Their After-School Programs, Summer Camps, Special Events And Other Programmed Activities, And B) Other Departments And Offices Citywide, As Approved In Their Respective Annual Budgets; Said Waiver Shall Be Authorized For A Period Of Three (3) Years, On A Year-To-Year Basis, Contingent Upon City Commission Approval Of The Departments' Related Budget Allocation(s) During The Adoption Of The City's Annual Budget.

(Parks & Recreation)

**ACTION: Resolution No. 2013-28180 adopted.**

**April 17, 2013**

**SUPPLEMENTAL 1: Resolution**

C7L A Resolution Exercising A Month-To-Month Extension Of The Agreement Between The City And Clear Channel Adshel Inc., To Construct, Operate And Maintain Directory Structures In The Lincoln Road Area; Which Expires On April 17, 2013; With Said Extension Commencing On April 18, 2013, And Terminating, For Convenience And Without Cause, At Such Time As New Directory Structures Are Replaced And Installed.

(Public Works)

**ACTION: Resolution No. 2013-28181 adopted.**

**April 17, 2013**

**SUPPLEMENTAL 1: Resolution**

C7M A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Amendment To The Professional Services Agreement With Industrial/Organizational Solutions, Inc., Approved By The City Commission On July 18, 2012. Said Amendment To Provide Additional Testing Services During The First Contract Year For Police And Fire Entry Level Positions; And Requesting Additional Funding, In An Amount Not To Exceed \$70,000.

(Human Resources)

**ACTION: Resolution No. 2013-28182 adopted.**

**April 17, 2013**

**SUPPLEMENTAL 2: Resolution**

C7N A Resolution Accepting A Donation For Monument Island.

(Requested By Commissioner Michael Góngora)

(Legislative Tracking: City Attorney's Office)

**ACTION: Resolution No. 2013-28183 adopted.**

**April 17, 2013**

**12:25:26 p.m.**

R7A A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A Third Amendment To That Certain Retail Lease Agreement By And Between The City Of Miami Beach, The Miami Beach Redevelopment Agency (Collectively, Lessor), And Penn 17, LLC (Lessee), Dated September 16, 2011, Involving The Lease Of Approximately 7,655 Square Feet Of Ground Floor Retail Space At The Pennsylvania Avenue Garage, 1661 Pennsylvania Avenue, Miami Beach, Florida; And Further Approving, Following A Duly Noticed Public Hearing As Required By Section 142-362 Of The City Of Miami Beach Code, An Entertainment Component, Which Will Be Added As An Additional Use Of The Leased Premises In Conjunction With Tenant's Re-Opening And Re-Branding Of Such Premises. 10:00 a.m. Public Hearing, Joint City Commission & Redevelopment Agency

(Real Estate, Housing & Community Development)

**ACTION: Item opened and continued. Heard in conjunction with 1A.** Motion made by Commissioner Góngora, seconded by Commissioner Libbin to open and continue the item to the May 8, 2013 Commission Meeting. Voice-vote: 5-0; Absent: Vice-Mayor Wolfson and Commissioner Weithorn.

**April 17, 2013**

**9:51:00 a.m.**

**SUPPLEMENTAL AGENDA 1: Resolution & Agreement**

R7B A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Employment Agreement Between The City Of Miami Beach And City Manager Jimmy Morales, With The City Manager's Term Of Employment Having Deemed To Commence Retroactively, As Of April 1, 2013.

(City Attorney's Office)

(To Be Submitted In Supplemental)

**ACTION: Resolution No. 2013-28184 adopted.** Motion made by Commissioner Góngora; seconded by Commissioner Exposito to approve the resolution by unanimous acclamation. Voice vote 5-0; Absent: Vice-Mayor Wolfson and Commissioner Weithorn.

**April 17, 2013**

**12:46:45 p.m.**

R7D A Resolution Adopting The First Amendment To The General Fund, Enterprise, Internal Service And Special Revenue Funds Budgets For Fiscal Year (FY) 2012/13 To Appropriate Funds Carried Forward From FY 2011/12, And To Appropriate Funds To The Waste Haulers Additional Services And Public Benefit Fund Budget, To Be Funded By Additional Contributions From The City's Existing Waste Haulers.

(Budget & Performance Improvement)

**ACTION: Resolution No. 2013-28185 adopted.** Motion made by Commissioner Libbin to approve the resolution; seconded by Commissioner Exposito; Voice vote 5-0; Absent: Vice-Mayor Wolfson and Commissioner Weithorn.

**April 17, 2013**

**12:47:31 p.m.**

**6:17:54 p.m.**

R7E A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee At Its December 20, 2012 Meeting, And Waiving, By 5/7th Vote, The Formal Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The City Manager To Negotiate, In Accordance With The Substantive Terms (In The Term Sheet Attached As Exhibit "A" To This Resolution) And, If Successful, Execute A New Agreement With Professional Course Management II, LTD., For The Management And Operations Of The City Of Miami Beach Golf Courses, Clubhouses And Related Facilities; With Said Agreement Having An Initial Term Of Three (3) Years, With Two (2) One (1) Year Renewals, At The City's Sole Discretion.

(Parks & Recreation Department)

**ACTION: Resolution No. 2013-28186 adopted.** Motion made by Vice-Mayor Wolfson to approve the resolution; seconded by Commissioner Góngora; Voice vote 6-1. Opposed; Commissioner Tobin.

**April 17, 2013**

**12:49:02 p.m.**

R7F A Resolution Approving And Appointing, Pursuant To Sections 142-108(g)(3) And 118-537(b) Of The Miami Beach City Code, Murray Greenberg To Serve As Special Master, On The Appeal Of "In Re: 42 Star Island Drive, Miami Beach, FL", Case No. HPSM-13-001, DRB File No. 22936.

(City Clerk's Office)

**ACTION: Resolution No. 2013-28187 adopted.** Motion made by Commissioner Góngora to approve the resolution; seconded by Commissioner Libbin; Voice vote 5-0; Absent: Vice-Mayor Wolfson and Commissioner Weithorn.

**April 17, 2013**

**5:11:44 p.m.**

**SUPPLEMENTAL 1: Resolution**

R7G Bicycle Lane Along Prairie Avenue And Royal Palm Avenue

1.A Resolution Accepting The Recommendation By Staff And Respective Consultants Atkins North America, Inc. And Street Plans, Inc., Following A Presentation To The Finance And Citywide Projects Committee On March 21, 2013, And Maintaining The Current Width Of Prairie Avenue As Well As Its Respective Bicycle Lanes, Pursuant To The Regulations Established By Miami-Dade County Public Works, And Further Retaining Royal Palm Avenue's Current Design As Proposed In The Construction Plans, And As Approved Under Resolution 2013-28163 Via Amendment No. 2 To Lanzo Construction Co. **ACTION: Resolution not adopted.**

**No action taken.**

2. A Resolution Rejecting The Recommendation By Staff And Respective Consultants Atkins North America, Inc. And Street Plans, Inc., Following A Presentation To The Finance And Citywide Projects Committee On March 21, 2013, And Directing Staff To Continue To Evaluate The Reduction Of Prairie Avenue To Eliminate The Current Bicycle Lanes And Study Further The Possibility Of Including An Advisory Bicycle Lane Along Both Prairie Avenue And Royal Palm Avenue; And Further Authorizing The City Manager To De-Program Work Associated In The Construction Of The Valley Gutters, As Well As Proposed Re-Grading And Milling And Resurfacing Along Prairie Avenue, As Outlined In Amendment No 2, And As Authorized Under Resolution 2013-28163; Modifying Such Amendment To Add To The Contract Funds For A One Inch (1") Overlay Of Asphalt Over The Current Existing Roadway, And Resurface The Street To A Drivable Condition During The Experiment And Approval Process For An Advisory Bicycle Lane, By Providing For All Respective Credits And Charges To Be Further Defined And Amended Into The Contract At A Later Date.

(Capital Improvement Projects Office)

**ACTION: Resolution not adopted. No action taken.**

3) Third Alternative Recommendation Adopted - Title of Resolutions To Be Submitted

**ACTION:** See motions and Resolution numbers below:

**MOTION No. 1:**

**Resolution No. 2013-28188.** Motion made by Commissioner Libbin to approve the City Manager's third alternate recommendation, which was transmitted via LTC 130-2013, and give residents what they asked for; seconded by Commissioner Exposito; Voice vote 7-0.

**MOTION No. 2:**

**Resolution 2013-28189 adopted.** Motion made by Commissioner Libbin to file an appeal to try to get safe bike lanes on Royal Palm and apply for the Safe Route to Schools Grant; seconded by Commissioner Exposito; Voice vote 7-0.

**April 17, 2013**

**11:58:06 a.m.**

R7H A Resolution Consenting To And Confirming The Appointment Of Sylvia Crespo-Tabak As The Director Of Human Resources For The City Of Miami Beach.

(Human Resources)

**ACTION: Resolution No. 2013-28190 adopted.** Motion made by Commissioner Exposito to approve the resolution; seconded by Commissioner Góngora; Voice vote 5-0; Absent: Vice-Mayor Wolfson and Commissioner Weithorn.

**April 17, 2013**

**11:59:00 a.m.**

R7I A Resolution Consenting To And Confirming The Appointment Of Mariano V. Fernandez As The Director Of Building Department And Building Official For The City Of Miami Beach.

(Human Resources)

**ACTION: Resolution No. 2013-28191 adopted.** See comments with Item R7H. Motion made by Commissioner Góngora to approve the resolution; seconded by Commissioner Exposito; Voice vote 5-0. Absent: Vice-Mayor Wolfson and Commissioner Weithorn.

**April 17, 2013**

**12:00 p.m.**

R7J A Resolution Consenting To And Confirming The Appointment Of Keith R. Kleiman As The Director Of The Office Of Budget And Performance Improvement For The City Of Miami Beach.

(Human Resources)

**ACTION: Resolution No. 2013-28192 adopted.** See comments with Item R7H. Motion made by Commissioner Exposito to approve the resolution; seconded by Commissioner Góngora; Voice vote 5-0. Absent: Vice-Mayor Wolfson and Commissioner Weithorn.

**April 17, 2013**

**12:00 p.m.**

R7K A Resolution Consenting To And Confirming The Appointment Of Eric Carpenter As The Director Of Public Works Department For The City Of Miami Beach.

(Human Resources)

**ACTION: Resolution No. 2013-28193 adopted.** See comments with Item R7H. Motion made by Commissioner Exposito to approve the resolution; seconded by Commissioner Góngora; Voice vote 5-0; Absent: Vice-Mayor Wolfson and Commissioner Weithorn.

**April 17, 2013**

**4:52:00: a.m.**

R7L A Resolution Approving Option "A" And Accepting The Recommendation Of The City Manager Pursuant To Invitation To Negotiate No. 059-2013ME, For Food And Beverage Services For The Miami Beach Convention Center (ITN), And Authorizing The Administration To Enter Into Negotiations With The Second And

Third Ranked Proposers, Centerplate And Aramark; Or, In The Alternative, Approving Option "B" And Rejecting All Proposals In Response To The ITN, And Authorizing The Administration To Include The Provision Of Food And Beverage Services For The Miami Beach Convention Center As A Component Of The Scope Of Services In The New Convention Center Management And Operation Agreement Being Negotiated With Global Spectrum.

(City Manager/Procurement)

**ACTION: Resolution No. 2013-28194 adopted.** Motion made by Vice-Mayor Wolfson to approve the resolution; seconded by Commissioner Góngora; Voice vote 6-1; Opposed: Commissioner Tobin.

#### **April 17, 2013**

1:21:57 p.m.

SUPPLEMENTAL 1: Memorandum & Resolution

R9D Discuss A Resolution Urging The United States Congress To Support National Immigration Reform That Leads To A Pathway To United States Citizenship.

(Requested by Mayor Matti Herrera Bower)

**ACTION: Discussion held. Resolution No. 2013-28195 adopted.** Motion made by Commissioner Góngora; seconded by Commissioner Exposito; Voice vote: 5-0; Absent: Vice-Mayor Wolfson and Commissioner Weithorn.

#### **April 17, 2013**

12:39:25 p.m.

##### **ADDENDUM 1**

R9J Discussion Regarding Setting A Public Hearing To Amend The Miami Beach Police Department Law Enforcement Trust Fund (LETF) Budget To Accommodate The Purchase And Installation Of A Permanent License Plate Reader System On The Venetian Causeway.

(Requested by Commissioner Jerry Libbin)

**ACTION: Discussion held. Resolution No. 2013-28196.** See comments made by Mr. Brendel, Item R9B(1). Motion made by Commissioner Libbin; seconded by Commissioner Tobin; Voice-vote: 5-0; Absent: Vice-Mayor Wolfson and Commissioner Weithorn.

#### **April 17, 2013**

1:24:11 p.m.

R9K Discussion Regarding A Resolution Urging The Governor And Legislature Of The State Of Florida To Enhance The Florida Film & Entertainment Industry Financial Incentive Program With Additional Tax Credits.

(Requested by Commissioner Jerry Libbin)

**ACTION: Discussion held. Resolution 2013-28197 adopted.** Motion made by Commissioner Libbin; seconded by Commissioner Góngora; Voice-vote: 5-0. Absent: Vice-Mayor Wolfson and Commissioner Weithorn.

#### **May 8, 2013**

C7A A Resolution Approving And Authorizing The City Manager Or His Designee To Take The Following Actions: 1) Submit A Grant Application To The Nora Roberts Foundation For Funding, In The Approximate Amount Of \$40,000, For Books And Electronic Readers (E-Readers) For The City's Parent-Child Home Program; 2) Negotiate And Execute A Contract Renewal With The Children's Trust For The Youth Development Program For Funding, In The Approximate Amount Of \$100,000, For The City's Morning All Stars Program; 3) Submit An Application To The Robert Wood Johnson Foundation Annual RWJF Roadmaps To Health Prize, To Provide Medical Attention To The Underserved And Uninsured Children Of Our Communities, And Further, Retroactively Approving The Following: 4) Submittal Of An Application To The Code For America Program For A Web Development Team To Evaluate And Implement Web And Mobile Applications; Appropriating The Above Grants, Matching Funds And City Expenses, If Approved And Accepted By The City; Authorizing The Execution Of All Necessary Documents Related To The Aforestated Applications, Including, Without Limitation, Audits Of Such Grants, And Authorizing The City Manager Or His Designee To Take All Necessary Actions Related To These Grants. (Budget & Performance Improvement)

**ACTION: Resolution No. 2013-28198 adopted.**



**8:07:32 p.m.**

C7B A Resolution Accepting The Recommendation Of The City Manager, Pursuant To Request For Qualifications (RFQ) No. 022-2013TC, For A Construction Manager At Risk Firm To Provide Pre-Construction Services And Construction Phase Services Via A Guaranteed Maximum Price (GMP) Amendment For The Scott Rakow Youth Center Ice Skating Rink, Mechanical Repairs, And Building Renovations; And Authorizing The Administration To Enter Into Negotiations With The Top-Ranked Firm, Thornton Construction Company, Inc.; And Should The Administration Not Be Able To Successfully Negotiate An Agreement With The Top-Ranked Firm, Authorizing The Administration To Negotiate With The Second-Ranked Firm, Lynx Construction Management, LLC; And Further Authorizing The Mayor And City Clerk To Execute An Agreement For Pre-Construction Services. (Capital Improvement Projects/Procurement)

**ACTION:** Item separated for discussion by Commissioner Tobin. **Resolution No. 2013-28199 adopted.** Motion made by Commissioner Tobin; seconded by Commissioner Exposito; Voice vote: 4-0; Absent: Vice-Mayor Wolfson and Commissioners Libbin and Weithorn.

**May 8, 2013**

C7C A Resolution Approving The City's Federal Legislative Agenda For The First Session Of The 113<sup>th</sup> Congress. (Intergovernmental Affairs)

**ACTION: Resolution No. 2013-28200 adopted.**

**May 8, 2013**

C7D A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Amendment To The Contract Between The City Of Miami Beach And Peterson's Harley Davidson Of Miami, LLC, Dated January 27, 2011, For The Lease Or Purchase Of Police Motorcycles, In The Estimated Annual Amount Of \$99,000; Said Amendment Approving The First Year Renewal Option Of The Contract, And Further Amending Section 2.2 Thereof (Terms) To Allow Subsequent Renewal By The City Manager. (Fleet Management)

**ACTION: Resolution No. 2013-28201 adopted.**

**May 8, 2013**

**8:07:56 p.m.**

C7E A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 2, To The Existing Professional Services Agreement Between The City Of Miami Beach And Schwebke-Shiskin & Associates, Inc., For Additional Resident Project Representative And Supplemental Construction Administration Services, For The Venetian Islands Bid Package 13C Right-Of-Way Neighborhood Improvement Project; Said Amendment In The Negotiated Not-To-Exceed Amount Of \$349,957; With Previously Appropriated Funding In The Capital Budget From The Following Funds: \$181,492 From Fund 384 - 2003 GO Bonds - Neighborhood Improvements; \$100,491 From Fund 427 - Stormwater Enterprise Fund; And \$67,974 From Fund 420 - W&S GBL Series 2010. (Capital Improvement Projects Office)

**ACTION: Item separated for discussion by Commissioner Tobin. Resolution No. 2013-28202 adopted.** Motion made by Commissioner Tobin; seconded by Commissioner Góngora; Voice vote: 4-0; Absent: Vice-Mayor Wolfson and Commissioners Libbin and Tobin.

**May 8, 2013**

**8:03:07 p.m.**

**SUPPLEMENTAL AGENDA No.1:**

C7F A Resolution Adopting Revised Administrative Guidelines For Utility Billing Deposits, Shut-Offs And Payment Plans As Recommended By The Finance And Citywide Projects Committee. (Requested by Commissioner Deede Weithorn) (Legislative Tracking: Finance Department)

**ACTION:** Item separated for discussion by Commissioner Libbin. **Resolution No. 2013-28203 adopted as amended to be effective immediately.** Motion made by Commissioner Libbin; seconded by Commissioner Exposito; Voice vote: 5-0; Absent: Vice-Mayor Wolfson and Commissioner Weithorn.

**May 8, 2013**

C7G A Resolution Approving The Purchase Of Eight (8) Budgeted Replacement Vehicles, In The Amount Of \$191,681.26, Utilizing Florida State Contract Number 071-000-13-1.(Fleet Management/Procurement)

**ACTION: Resolution No. 2013-28204 adopted.**

**May 8, 2013**

C7H A Resolution Approving A Memorandum Of Agreement (MOA) Between The City, On Behalf Of The Miami Beach Fire Department, And The United States Coast Guard Base In Miami Beach, For The Purpose Of Providing Fire Protection And Emergency Services To The Coast Guard Base, Located At 100 Macarthur Causeway, Miami Beach, And Any Moored Cutters And Small Boats. (Fire Department)

**ACTION: Resolution No. 2013-28205 adopted.**

**May 8, 2013**

C7I A Resolution Waiving, By 5/7th Vote, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Approving The Purchase Of One (1) Ford Taurus From Bartow Ford, In The Amount Of \$22,056; One (1) Ford F-350 Truck From Alan Jay Ford, In The Amount Of \$24,942; And One (1) Ford F-150 Truck From Duval Ford, In The Amount Of \$18,504; From Contract No. 12-20-0905, With The Florida Sheriffs Association.(Fleet Management)

**ACTION: Resolution No. 2013-28206 adopted.**

**May 8, 2013**

C7J A Resolution Accepting The Donation Of A Canine From The Miami Beach K-9 Knights, For A Specially Trained Canine That Will Be Utilized By The Miami Beach Police Department Operations Division Canine Squad, Which Shall Be Used For The Detection, Tracking And Apprehension Of Subjects Involved In Criminal Activity.(Police Department)

**ACTION: Resolution No. 2013-28207 adopted.**

**May 8, 2013**

C7K A Resolution Authorizing The City Manager And City Clerk To Execute A Memorandum Of Understanding Between The City Of Miami Beach, On Behalf Of The Miami Beach Police Department, And The Federal Bureau Of Investigation, South Florida Violent Crime Fugitive Safe Streets Task Force, Which Serves The Purpose Of Identifying And Prosecuting Criminal Enterprise Groups Or Individuals Responsible For Violent Crimes, And The Apprehension Of Dangerous Fugitives. (Police Department)

**ACTION: Resolution No. 2013-28208 adopted.**

**May 8, 2013**

C7L A Resolution Approving The Vacation Of An Existing City Utility Easement, Located On The Private Residential Property At 118 West Dilido Drive (The Property), And Accepting A New Utility Easement From Mary Carpenter, The Owner Of The Property, For The Construction, Installation, Maintenance, Repair, And Replacement Of A New Fifteen-Inch (15") Stormwater Outfall Pipe.(Public Works)

**ACTION: Resolution No. 2013-28209 adopted.**

**May 8, 2013**

C7M A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A Landscape And Irrigation Maintenance Memorandum Of Agreement With The Florida Department Of Transportation, For The Relocation Of Landscape Along State Road A1A/Indian Creek Drive, From 42nd Street To 44th Street, As Part Of The State Road A1A/Indian Creek Drive Project, From 42nd Street To 44th Street And State Road A1A/Collins Avenue/Indian Creek Drive Project Along 43rd Street.(Public Works)

**ACTION: Resolution No. 2013-28210 adopted.**

**May 8, 2013**

C7N A Resolution Approving The Grant Of Three (3) Easements To The Florida Department Of Transportation (FDOT) For The Construction, Installation, Maintenance, Repair, And Replacement Of: 1) A Stormwater Pump Station And Associated Infrastructure On West Avenue At 6th Street; 2) A Stormwater

Pump Station And Associated Infrastructure At The Western Terminus Of 10th Street; And 3) A Stormwater Pump Station And Associated Infrastructure At The Western Terminus Of 14th Street; Provided, However, That The Aforestated Grant Is Subject To And Contingent Upon Successful Negotiation Of The Final Easement Agreements Between The City And FDOT, Which Easement Agreements, If Successfully Negotiated And Finalized, Shall Be Subject To Final Approval By The City Manager And City Attorney; Further Authorizing The Mayor And City Clerk To Execute The Final Easement Agreements, If And When Finalized. (Public Works)

**ACTION: Resolution No. 2013-28211 adopted.**

**May 8, 2013**

**SUPPLEMENTAL AGENDA No.1:**

C7O A Resolution Continuing To Extend, On A Month-To-Month Basis, The Management And Operating Agreements Between The City And The Market Company For 1)The Operation Of The Green Markets On Lincoln Road And Normandy Isle; And 2) The Management And Operating Agreement Between The City And Production Sud, Inc., For The Operation Of The Antique And Collectibles Market On Lincoln Road; With Such Extension Commencing On June 1, 2013, And Terminable For Convenience And Without Cause, By The City At Such Time Following The Issuance Of A Request For Proposals (RFP) Resulting In The Selection And Execution Of New Contract Or Contracts For The Management And Operation Of Street Markets In Miami Beach At Various Locations.(Real Estate, Housing & Development)(Resolution)

**ACTION: Resolution No. 2013-28212 adopted.**

**May 8, 2013**

**12:44:58 p.m.**

**SUPPLEMENTAL AGENDA No.1:**

C7P Setting of the Public Hearing - Alton Road Historic District Buffer Overlay

A Resolution Setting A Public Hearing To Consider An Ordinance Amending The Code Of The City Of Miami Beach, Florida, By Amending Chapter 142, "Zoning Districts And Regulations," Article III, "Overlay Districts," Creating Division 8 "Alton Road - Historic District Buffer Overlay," By Including Section 142-858 "Location And Purpose," And Section 142-859 "Development Regulations," Including Among Other Provisions Regulations On Maximum Floor Area Ratio; Maximum Building Height; Minimum Setbacks; Building Separation; Demolition Or Additions To Contributing Buildings In An Historic District; And Land Use Regulations For Location Of Retail Uses, Restaurants, Bars, Entertainment Establishments, Alcoholic Beverage Establishments And Similar Uses; Requiring Conditional Use Approval Of Such Uses In Excess Of 10,000 Sq. Ft.; And Prohibiting Alcoholic Beverage And Entertainment Establishments In Open Areas With Exceptions As Prescribed In The Ordinance; Providing For Codification; Repealer; Severability; And An Effective Date. (Requested by Land Use & Development Committee)(Legislative Tracking: Planning Department)(Corrected Information)

**ACTION: Resolution No. 2013-28213 adopted.**

**May 8, 2013**

**ADDENDUM NO. 3 - Resolution**

C7Q A Resolution Approving And Authorizing The Acceptance Of Donations Of Hotel Rooms Made To The City For Memorial Day Weekend.(Tourism, Culture & Economic Development Department)

**ACTION: Resolution No. 2013-28214 adopted.**

**May 8, 2013**

**2:14:56 p.m.**

R7A A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 3 To That Certain Retail Lease Agreement By And Between The City Of Miami Beach, The Miami Beach Redevelopment Agency (Collectively, Lessor), And Penn 17, LLC (Lessee), Dated September 16, 2011, Involving The Lease Of Approximately 7,655 Square Feet Of Ground Floor Retail Space At The Pennsylvania Avenue Garage, 1661 Pennsylvania Avenue, Miami Beach, Florida; And Further Approving, Following A Duly Noticed Public Hearing As Required By Section 142-362 Of The City Of Miami Beach Code, An Entertainment Component, Which Will Be Added As An Additional Use Of The Leased Premises In Conjunction With Tenant's Re-Opening And Re-Branding Of Such Premises. 10:00 a.m. Public Hearing, Joint City Commission

& Redevelopment Agency (Real Estate, Housing & Community Development) (Continued from April 17, 2013)  
**ACTION:** Heard in conjunction with RDA Item 1A. Item opened and continued to June 5, 2013. Motion made by Commissioner Weithorn, seconded by Commissioner Tobin; Voice-vote: 7-0.

**May 8, 2013**

2:18:34 p.m.

R7B A Resolution Granting A Revocable Permit To Ungar-Marshall Company (Applicant), As The Owner Of The Retail Property Located At 1100 1001 Lincoln Road (The GAP Store), Following A Duly Noticed Public Hearing, To Allow For The Placement And Maintenance By Applicant Of The Following Encroachments Into The Public Rights Of Way Adjacent To The Property: 1) A Proposed Metal Canopy With Horizontal Dimensions Not To Exceed Five-Foot Eleven-Inches (5'-11") Along Michigan Avenue, Six-Foot (6') Along Lincoln Road Mall, And Ten-Foot Four-Inches (10'-4") Above The Sidewalk; And 2) A Proposed Concrete Eyebrow, Having Horizontal Dimensions Not To Exceed A Length Of 6-Foot (6') Along Lincoln Road And Michigan Avenue, At A Height Of Approximately 30-Foot (30') Above The Sidewalk. 11:15 a.m. Public Hearing. (Public Works)

**ACTION:** Public Hearing held. Resolution No. 2012-28215 adopted. Motion made by Commissioner Weithorn, seconded by Commissioner Góngora; Voice-vote: 7-0.

**May 8, 2013**

11:45:07 a.m.

R7C A Resolution Adopting And Appropriating The Third Amendment To The Police Confiscation Trust Budget For Fiscal Year 2012/2013 In The Amount Of \$95,000, To Be Funded From The State Confiscated Funds. 11:30 a.m. Public Hearing. (Requested by Commissioner Jerry Libbin) (Legislative Tracking: Police Department)

**ACTION:** Public Hearing held. Resolution No. 2012-28216 adopted. Motion made by Commissioner Libbin, seconded by Commissioner Exposito; Voice-vote: 7-0.

**May 8, 2013**

7:53:44 p.m.

R7D A Resolution Waiving, By 5/7th Vote, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Approving The Purchase Of One (1) Pierce Custom Pumper Fire Engine From Pierce Manufacturing, Inc., In The Amount Of \$720,106.90; From Contract No. 11-10-1202, With The Florida Sheriffs Association.(Fleet Management/Procurement)

**ACTION:** Resolution No. 2012-28217 adopted. Motion made by Commissioner Weithorn, seconded by Commissioner Libbin Voice-vote: 6-0 Absent: Vice-Mayor Wolfson.

**May 8, 2013**

**8:00:35 p.m.**

R9I Discussion Regarding A Resolution Waiving Space Rental Charges In An Amount Not To Exceed \$7,900.00 At The Colony Theatre For The Film Life Foundation, A Non-Profit Which Is Producing The American Black Film Festival, For The Festival's Events To Be Held June 19 - 23, 2013.(Requested by Mayor Matti Herrera Bower)

**ACTION:** Discussion held. **Resolution No. 2013-28218 adopted.** Motion made by Commissioner Libbin; seconded by Commissioner Tobin; Voice vote: 5-0; Absent: Vice-Mayor Wolfson and Commissioner Weithorn.

**May 8, 2013**

**10:06:31 a.m.**

**SUPPLEMENTAL AGENDA No. 1:**

R9J Discussion Regarding A Resolution Authorizing Funding In The Amount Of \$30,500 From The Miami Beach Education Compact Fund To Be Utilized By The City Of Miami Beach's Nurse Initiative, And Allocating Such Funds To Be Used For The Nurse Initiative.(Requested by Commissioner Jerry Libbin)(Resolution & Additional Information)

**ACTION:** **Item heard in conjunction with PA5 Treasure Island.** Discussion held. **Resolution No. 2013-28219 adopted.** Motion made by Commissioner Libbin; seconded by Commissioner Exposito; Voice vote: 6-0; Absent: Vice-Mayor Wolfson.

**May 8, 2013**

**8:02:38 p.m.**

**ADDENDUM AGENDA No. 4**

R9N Discussion Regarding The Gay & Lesbian Film Festival. (Requested by Commissioner Michael Góngora)

**ACTION: Resolution No. 2013-28220.** Motion made by Commissioner Góngora; seconded by Commissioner Libbin; Voice vote: 5-0; Absent: Vice-Mayor Wolfson and Commissioner Weithorn.

**June 5, 2013**

9:50:01 p.m.

**SUPPLEMENTAL AGENDA 1: Resolution**

C7A A Resolution Approving And Authorizing The City Manager Or His Designee To Take The Following Actions: 1) Submit A Grant Application To The Florida's Safe Routes To School Program In The Approximate Amount Of \$150,000 For Funding For Various Infrastructure Improvements, For Fienberg-Fisher K-8 Center; 2) Submit A Grant Application To The Florida's Safe Routes To School Program, For Funding, In The Approximate Amount Of \$800,000 For Various Infrastructure Improvements At Nautilus Middle School And North Beach Elementary And For A Traffic Study And Various Infrastructure Improvements At Miami Beach Senior High School; 3) Submit An Application To Florida Department Of Transportation For Funding In The Approximate Amount Of \$1,000,000 For Transportation Alternatives Program (TAP) Funds For The Middle Beach Recreational Corridor From 58th To 64th Street; And Further, Retroactively Approving The Following: 4) Submittal Of A Grant Application To The US Department Of Justice, Office Of Community Oriented Policing Services (COPS), Cops Hiring Program For Funding In The Approximate Amount Of \$1,600,000 Over Three Years For The Hiring Of Additional Career Law Enforcement Officers; Appropriating The Above Grants, Matching Funds And City Expenses, If Approved And Accepted By The City Authorizing The Execution Of All Necessary Documents Related To The Aforestated Applications, Including, Without Limitation, Audits Of Such Grants, And Authorizing The City Manager Or His Designee To Take All Necessary Actions Related To These Grants. (Budget & Performance Improvement) **ACTION:** Item separated for discussion by Commissioner Weithorn. Resolution 2013-28221 adopted. Motion made by Commissioner Weithorn; seconded by Commissioner Góngora; Voice vote; 7-0.

**RECOMMENDATIONS:**

Stipulation must be part of budget discussion

Requested long-term financial impact, not year one, but entire grant program

**June 5, 2013**

**SUPPLEMENTAL AGENDA 1: Resolution**

C7C A Resolution Authorizing The Mayor And City Clerk To Execute Amendment No. 2 To The Existing Professional Services Agreement Between The City Of Miami Beach And Atkins North America, Inc. Dated September 23, 2011, For The Bayshore Neighborhood No. 8 Right Of Way Infrastructure Improvement - Central Bayshore (Package A), Lower North Bay Road (Package B), And Lake Pancoast (Package C) Projects, For Additional Resident Project Representative Services, For A Period Of Eight (8) Months, In The Negotiated Not-To-Exceed Amount Of \$234,409 And An Additional Amount Of \$6,950 For Reimbursables Expenses, For A Total Amount Of \$241,359, With Previously Appropriated Funding. (Capital Improvement Projects Office) **ACTION:** Resolution 2013-28222. David Martinez to handle.

**June 5, 2013**

C7D A Resolution Electing Commissioner Edward L. Tobin, Group V, As Vice-Mayor For A Term Commencing On July 1, 2013, And Terminating On October 31, 2013, Or On Such Date When A New Vice-Mayor Is Thereafter Elected. (City Clerk's Office) **ACTION:** Resolution No. 2013-28223 adopted.

**June 5, 2013**

C7E A Resolution Waiving, By 5/7th Vote, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Approving The Purchase Of Two (2) Ford F-450 Trucks In The Amount Of \$77,056, From Duval Ford, From Contract No. 12-10-0905; One (1) Ford Expedition XL SUV, In The Amount Of \$38,012, And One (1) Ford F-250 Truck, In The Amount Of \$27,827, From Duval Ford, From

Contract No. 12-20-0905; And Two (2) Traumahawk Ambulances From ETR, L.L.C., In The Amount Of \$492,514, From Contract No. 11-10-1202; Through The Florida Sheriffs Association. (Fleet Management)  
ACTION: Resolution No. 2013-28224 adopted.

**June 5, 2013**

C7F A Resolution Waiving, By A 5/7ths Vote, The Formal Competitive Bidding Requirements, Finding Such Waiver To Be In The City's Best Interest, And Authorizing The Mayor And City Clerk To Execute An Agreement With Cassidian Communications, Inc., For An Initial Term Of Two (2) Years, With The Option To Renew For Two (2) Additional Years, In The Annual Amount Of \$12,415. (Information Technology)

ACTION: Resolution No. 2013-28225 adopted.

**June 5, 2013**

C7G A Resolution Waiving, By A 5/7ths Vote, The Formal Competitive Bidding Requirements, Finding Such Waiver To Be In The City's Best Interest, And Authorizing The Mayor And City Clerk To Execute An Agreement With AT&T To Add Centrex Services To The AT&T Master Service Agreement For A Term Of Three (3) Years, In The Annual Amount Of \$183,000.

(Information Technology)

ACTION: Resolution No. 2013-28226 adopted. Gladys Gonzalez to handle.

**June 5, 2013**

9:48:57 p.m.

C7H A Resolution Of The Mayor And City Commission Of The City Of Miami Beach, Florida, Waiving, By A 5/7ths Vote, The Formal Competitive Bidding Requirements, Finding Such Waiver To Be In The City's Best Interest, And Authorizing The Purchase Of Sports Lighting Systems From Musco Lighting For Purposes Of Standardization Of The City's Athletic Fields, Sport Courts, And Driving Range Lighting In An Amount Not To Exceed \$90,751.00. (Parks & Recreation) ACTION: Item separated for discussion by Commissioner Tobin. Resolution 2013-28227 adopted. Motion made by Commissioner Tobin; seconded by Commissioner Exposito: Voice vote: 7-0.

**June 5, 2013**

C7I A Resolution Waiving, By A 5/7ths Vote, The Formal Competitive Bidding Requirements, Finding Such Waiver To Be In The City's Best Interest, And Authorizing The Purchase Of Airfares, Hotels, Meals, Local Transportation, Program Expenses And Any Associated League And Tournament Fees And The Purchase Of Prepared Foods And Related Products, To Be Utilized By The City Of Miami Beach Parks And Recreation Department's Participants In Programs And Activities Including, But Not Limited To, Athletics, Sports, Out Of Town Travel And In-House Local Events And Programs; Said Waiver Shall Be Authorized For A Period Of Three (3) Years, On A Year To Year Basis, Contingent Upon City Commission Approval Of The Department's Related Budget Allocation(s), The Department's Fund Raising Efforts And Receipt Of Sponsorships, Donations, Grants, And Other Funding Sources. (Parks & Recreation)

ACTION: Resolution No. 2013-28228 adopted.

**June 5, 2013**

9:48:44 p.m.

SUPPLEMENTAL AGENDA 3: Revised Memorandum & Resolution

C7J A Resolution Of The Mayor And The City Commission Of The City Of Miami Beach, Florida, Approving Month-To-Month Extensions Of The Agreements Between The City And, Respectively, Ashbritt, Inc.; Ceres Environmental Services, Inc.; Phillips And Jordan, Inc.; And Crowdergulf Joint Ventures, Inc., For Disaster Recovery Services; With Said Extensions Having Been Deemed To Have Commenced Retroactively As Of February 1, 2013, And Terminable By The City, For Convenience And Without Cause, Upon Thirty (30) Days Prior Written Notice To The Contractors. (Public Works) ACTION: Item separated for discussion by Commissioner Tobin. Resolution 2013-28229 adopted. Motion made by Commissioner Tobin; seconded by Commissioner Exposito; Voice vote: 7-0.

**June 5, 2013**

C7K A Resolution Accepting A Donation From Aimco, Owner Of The Flamingo South Beach, Of Two (2) Park Benches And Landscaping At The Street End Of 14th Street. (Public Works)

ACTION: Resolution No. 2013-28230 adopted.

**June 5, 2013**

ITEM MOVED TO REFERRAL ITEM C4P

C7L A Resolution Approving An Amendment To The Flamingo Neighborhood Basis Of Design Report As Requested By The Flamingo Park Neighborhood Association For 10-Foot Wide Travel Lanes In The Local Avenues, 6-Foot Wide Sidewalks, And For A Cycle Track On 16th Street. (Public Works)

ACTION: See action with Item C4P. Item referred.

**June 5, 2013**

SUPPLEMENTAL AGENDA 1: Resolution

C7M A Resolution Approving And Accepting Two (2) Easements From Dorothy Riggs, John Riggs, William Riggs, And BMO Harris Bank As The Owners Of The Property Located At 6876 Collins Avenue (The Publix Property) For: 1) A Utility Easement Located At The South End Of The Property For The Construction, Installation, Maintenance, Repair, And Replacement Of City Utilities; And 2) A Non-Exclusive Pedestrian Easement On The North Side Of The Property Parallel To The South Side Of 69th Street, From Collins Avenue To Harding Avenue. (Public Works) ACTION: Resolution No. 2013-28231 adopted.

**June 5, 2013**

9:52:27 p.m.

SUPPLEMENTAL AGENDA 3: Resolution

C7N A Resolution Waiving, By A 5/7ths Vote, The Formal Competitive Bidding Requirements, Finding Such Waiver To Be In The City's Best Interest, And Authorizing The Procurement Of Construction Services From Community Asphalt, The Florida Department Of Transportation (FDOT) Contractor, In The Estimated Amount Of \$131,330 To Adjust Or To Relocate Approximately Ninety-Three (93) Valve Boxes, Fourteen (14) Sanitary Sewer Manhole Covers, Twenty-Two (22) Water Meter Boxes, Sixteen (16) Fire Hydrants, Two (2) Water Services, And One (1) 8-Inch Water Main, In Conjunction With The FDOT Right-Of-Way Improvement Project On Collins Avenue, From 5th Street To Lincoln Road. (Public Works) ACTION: Item separated for discussion by Commissioner Weithorn. Motion made by Commissioner Exposito; seconded by Commissioner Libbin; Voice vote: 5-2; Opposed: Vice-Mayor Wolfson and Commissioner Weithorn. Resolution No. 2013-28232 adopted.

**June 5, 2013**

SUPPLEMENTAL AGENDA 1: Resolution

C7O A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee On March 21, 2013, Allowing For The Use Of Vacant City-Owned Fee Simple Land, As May Become Available From Time To Time, For The Purpose Of Staging And/Or Storing Construction Equipment In Connection With City-Funded Construction Projects Only; And Further Directing The Administration To Develop Policies And Procedures For Such Purpose. (Real Estate, Housing & Community Development) ACTION: Resolution No. 2013-28233 adopted.

**June 5, 2013**

C7P A Resolution Approving An Expenditure Of \$5,050 For The City's Joint Tourism And Hospitality Scholarship Program In Partnership With Global Spectrum And Centerplate; And Further Awarding Said Scholarships. (Tourism, Culture & Economic Development) ACTION: Resolution No. 2013-28234 adopted.

**June 5, 2013**

C7Q A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee To Establish A Centennial Celebration Ad-Hoc Committee To Provide Ideas And Recommendations Pertaining To All Matters With Respect To Events And Activities Related To The City Of Miami Beach Centennial On March 26, 2015. (Tourism, Culture & Economic Development) ACTION: Resolution No. 2013-28235 adopted.

**June 5, 2013**

11:08:00 p.m.

C7R A Resolution Approving The Conceptual Plan Developed For The Euclid Avenue Street End Project On Lincoln Road; Further Authorizing The City Manager To Enter Into Negotiations With The Developer For An Agreement To Design And Build The Project. (Tourism, Culture & Economic Development) ACTION: Item separated for discussion by Commissioner Weithorn. Resolution 2013-28236 adopted. Motion made by Vice-Mayor Wolfson; seconded by Commissioner Libbin; Voice vote; 5-2; Opposed: Commissioners Tobin and Weithorn.

**June 5, 2013**

9:50:41 p.m.

C7S A Resolution Adopting The Five-Year (FY 2013-2017) Consolidated Plan For Federal Funds In Substantially The Attached Form; And Authorizing The City Manager To Execute All Applicable Documents And To Submit The Five-Year (FY 2013-2017) Consolidated Plan To The U.S. Department Of Housing And Urban Development (HUD). (Real Estate, Housing & Community Development) ACTION: Item separated for discussion by Commissioner Tobin. Resolution 2013-28237 adopted. Motion made by Commissioner Góngora; seconded by Commissioner Exposito; Roll call: 4-3; Opposed: Vice-Mayor Wolfson and Commissioners Tobin and Weithorn.

**June 5, 2013**

ADDENDUM AGENDA 1: ITEM MOVED TO THE REGULAR AGENDA AS ITEM R7K

C7T A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee And Directing The City Manager To Use Any And All Reasonable Efforts To Obtain, During Negotiations Between The City And The Master Developer Selected By The City Pursuant To Request For Qualifications No. 22-11/12 For The Development Of The Miami Beach Convention District (The RFQ Or Project), A Labor Peace Requirement In The Project Development Agreement And/Or In The Ground Lease(s); And, Specifically, That For The Component(s) Of The Project Pertaining To The Operation And/Or Provision Of Hotel Services And/Or Hotel-Related Food And Beverage (F & B) Services For The Convention Center Hotel On City Property, The Master Developer (Or Its Hotel Operator) Be Required To Execute A Labor Peace Agreement (Or Agreements) With Any Labor Organization That Seeks To Represent The Hotel Services And/Or Hotel F & B Employees; Provided Further, However, That The Foregoing Direction To The Manager Is Not Intended To Mandate And/Or Otherwise Require A Labor Peace Requirement And/Or Labor Peace Agreement(s) As A Pre-Requisite Of The City's Approval Of Any Agreement(s) For The Convention Center RFQ Project. (City Attorney's Office) ACTION. Item moved to the Regular Agenda as Item R7K.

**June 5, 2013**

9:25:55 p.m.

ADDENDUM AGENDA 2:

ADDENDUM AGENDA 3:

C7U Setting Of Public Hearing: Vacation Of Alleyway - 500 Alton Road

A Resolution Setting A Public Hearing To Consider Approving And Authorizing The Vacation Of A Portion Of An Alley Adjacent To Several Lots Of The Amended Plat Of Aquarium Site Resubdivision, Containing Approximately 4,200 Square Feet (The Alley), In Favor Of South Beach Heights I, LLC, 500 Alton Road Ventures, LLC And 1220 Sixth, LLC (Collectively The Applicant), And Waiving, By 5/7ths Vote, The Competitive Bidding And Appraisal Requirements, Pursuant To Article II, Section 82-36 Through 82-40 Of The Miami Beach City Code, Finding Such Waiver To Be In The Best Interest Of The City. (Planning Department) ACTION: Item separated for discussion by Mayor Bower. Resolution No. 2013-28238 adopted as amended. See Item C4A. Motion made by Commissioner Libbin; seconded by Commissioner Exposito; Voice vote: 7-0. First Reading of Resolution to occur at the July 17, 2013 Commission Meeting, with a second reading, Public Hearing anticipated for September 11, 2013.

AMENDMENTS:

Perform land survey by City's independent land surveyor

Have first reading in July 2013.



## End of Consent Agenda

**June 5, 2013**

2:26:07 p.m.

### SUPPLEMENTAL AGENDA 3: Memorandum

R7A1 A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 3 To That Certain Retail Lease Agreement By And Between The City Of Miami Beach, The Miami Beach Redevelopment Agency (Collectively, Lessor), And Penn 17, LLC (Lessee), Dated September 16, 2011, Involving The Lease Of Approximately 7,655 Square Feet Of Ground Floor Retail Space At The Pennsylvania Avenue Garage, 1661 Pennsylvania Avenue, Miami Beach, Florida; And Further Approving, Following A Duly Noticed Public Hearing As Required By Section 142-362 Of The City Of Miami Beach Code, An Entertainment Component, Which Will Be Added As An Additional Use Of The Leased Premises In Conjunction With Tenant's Re-Opening And Re-Branding Of Such Premises. 10:00 a.m. Public Hearing, Joint City Commission & Redevelopment Agency (Real Estate, Housing & Community Development) (Continued from May 8, 2013) (Memorandum to be Submitted in Supplemental) ACTION: Heard in conjunction with RDA Item 1A1. Public Hearing held. Resolution No. 2013-28239 adopted as amended. Motion made by Vice-Mayor Wolfson, seconded by Commissioner Weithorn; Voice-vote: 5-0; Absent: Commissioners Libbin and Tobin.

Amendment

Approve subject to condition prohibiting loud music

**June 5, 2013**

1:40:13 p.m.

### SUPPLEMENTAL AGENDA 3: Memorandum

R7A2 A Resolution Approving The Transfer, As Such Term Is Defined In The Lease Agreement (The Lease) By And Between The City Of Miami Beach, The Miami Beach Redevelopment Agency (Collectively, Lessor), And Penn 17, LLC (Lessee), Of A 100% Controlling Ownership Interest In Penn 17, LLC From The Current Managers/Members, Amir Ben-Zion And Ramon Cherstov (Transferors), To The Proposed Purchasers Of Penn 17, Roman Cherstov And OBK Project LLC (Transferees); With Approval Of Such Transfer Subject To And Contingent Upon The Parties' Execution Of Amendment No. 3 To The Lease And, Further, Satisfaction By Transferees Of The Following Conditions (To Be Satisfied Prior To And As A Condition Of Lessor's Execution Of Amendment No. 3): 1) Payment Of Outstanding Rent For The Months Of May And June, 2013; 2) Satisfaction Of Any And All Liens Against The Leased Premises Including, Without Limitation, Liens And/Or Claims Filed By A & P Air Conditioning And Cors-Air; 3) Dismissal, With Prejudice, Of The Lawsuit Filed By A & P Against The City To Collect The A & P Lien; 4) Re-Payment Of The Remaining Balance Of Rent And CAM For November And December 2012, In The Amount Of \$120,519.98; 5) Replacement Of The Required \$50,000 Minimum Balance Into The Lessee Construction Fund; 6) Re-Location, At Transferees' Sole Cost, Of The Leased Premises A/C Units To The Roof Of The Pennsylvania Garage; And 7) Execution Of A General Unconditional Release In Favor Of The City And RDA; And Further Waiving, By 5/7ths Vote, The Formal Competitive Bidding Requirements, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The City Manager, Or His Designee, To Negotiate And Execute An Agreement With Halloran Construction, Inc., In An Amount Not To Exceed \$250,000.00, To Address The Relocation Of The Kitchen Exhaust Venting System Installed By Penn 17, LLC. Joint City Commission & Redevelopment Agency. (Real Estate, Housing & Community Development) ACTION: Heard in conjunction with RDA Item 1A2. Public Hearing held. Resolution No. 2013-28240 adopted subject to the approval of Resolution No.1. Motion made by Vice-Mayor Wolfson, seconded by Commissioner Weithorn; Voice-vote: 5-1; Opposed Commissioner Libbin; Absent: Commissioner Tobin.

### RECOMMENDATIONS:

Approve resolution subject to tenant to:

- 1) Pay back rent owed from May and June 2013 next week;
- 2) Pay a minimum required Construction Deposit balance of \$50,000 into their Lessee Construction Fund under the Escrow agent;
- 3) Release the A&P Air Conditioning Lien and the posting of \$73,693 in Escrow to cover the payment of the lien;

- 4) Provide proof of payment to Cors-Air for \$3,001.92;
- 5) Pay for the relocation of the Air Conditioning units to the roof of the parking garage, and
- 6) Provide a contractor's Affidavit from Halloran that there are no other outstanding liens or claims.

Approval is subject to adoption of Resolution R7A1.

**June 5, 2013**

12:25:30 p.m.

**SUPPLEMENTAL AGENDA 1: Memorandum & Resolution**

R7B A Resolution Accepting The Recommendation Of The City Manager Pursuant To Invitation To Negotiate (ITN) No. 059-2013ME, And Approving All Material And Substantive Terms Of An Agreement Between The City And Aramark Sports And Entertainment Services, LLC. (Aramark) To Provide Professional Food And Beverage Facilities Management Services For The Miami Beach Convention Center, As Same Are Set Forth In The Term Sheet Attached As Exhibit "A" To This Resolution; Authorizing And Directing Aramark And The City Manager And City Attorney's Office To Finalize The Agreement, Based On The Approved Term Sheet; Further Authorizing Aramark And The City Manager And City Attorney's Office To Make Any Non-Substantive And Non-Material Revisions And/Or Additions To The Agreement, As Required, And Authorizing The Mayor And City Clerk To Execute The Final Agreement (Said Agreement Having An Initial Term Of Three (3) Years, Commencing On October 1, 2013 July 1, 2013, And Ending On September 30, 2016, With Two (2) One Year Renewal Terms, To Be Exercised At The City's Sole Option And Discretion). (Tourism, Culture & Economic Development) ACTION: Resolution No. 2013-28241 adopted as corrected to reflect starting date of July 1, 2013. Motion made by Commissioner Góngora to approve the Invitation to Negotiate with Centerplate; seconded by Commissioner Weithorn; Voice-vote: 5-2; Opposed: Vice-Mayor Wolfson and Commissioner Tobin.

**June 5, 2013**

5:22:47 p.m.

**SUPPLEMENTAL AGENDA 2: Draft Settlement Agreement**

R7D A Resolution Approving A Settlement Agreement Between Seville Acquisition, LLC, And The City Of Miami Beach, Concerning The Partial Demolition Of The Boardwalk And The Construction Of A Beachwalk Behind The Marriott Edition Hotel At 29th Street And Collins Avenue, And Authorizing The Mayor And City Clerk To Execute The Settlement Agreement, And Authorizing The City Manager And City Attorney To Take Such Actions As May Be Necessary To Carry Out The Intent Hereof. (City Attorney's Office) ACTION: Resolution No. 2013-28242 adopted. Motion made by Commissioner Weithorn; seconded by Commissioner Exposito; Voice-vote: 5-1. Opposed: Commissioner Góngora; Absent: Vice-Mayor Wolfson.

**June 5, 2013**

11:42:07 a.m.

**SUPPLEMENTAL 1: Memorandum & Resolution**

R7E A Resolution Consenting To The Appointment Of David D. Martinez As The Acting Director Of The Office Of Capital Improvement Projects For The City Of Miami Beach. (Human Resources) ACTION: Resolution No. 2013-28243 adopted. Motion made by Vice-Mayor Wolfson; seconded by Commissioner Exposito; Voice-vote: 7-0.

**June 5, 2013**

11:57:32 a.m.

R7F A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee At Its May 20, 2013 Meeting Regarding Housekeeping Amendments To Chapter 38 Of The City Code Concerning Early Voting, Acceptance Of Run-Off Election Returns, And Petitions. (City Attorney's Office) ACTION: Resolution No. 2013-28244 adopted. Item heard in conjunction with R5E. Motion made by Commissioner Weithorn, seconded by Commissioner Libbin; Voice-vote: 7-0.

**June 5, 2013**

11:56:07 a.m.

R7G A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee At Its April 29, 2013 Meeting To Consider An Ordinance Addressing Unexpected Vacancies On The City's Land Use Boards, And Including Notice And Waiting Period Provisions For The Filling Of Such Vacancies.

(Requested by Commissioner Deede Weithorn)

(Legislative Tracking: City Clerk's Office)

ACTION: Resolution No. 2013-28245 adopted. Item heard in conjunction with Item R5F. Motion made by Commissioner Góngora, seconded by Commissioner Weithorn; Voice-vote: 7-0.

**June 5, 2013**

11:39:48 a.m.

**ADDENDUM AGENDA 1:**

R7H A Resolution Consenting To And Confirming The Appointment Of John E. Woodruff As The Director Of The Office Of Budget And Performance Improvement For The City Of Miami Beach. (Human Resources)

ACTION: Resolution No. 2013-28246 adopted. Motion made by Vice-Mayor Wolfson; seconded by Commissioner Góngora to confirm appointment; Voice-vote: 7-0.

**June 5, 2013**

2:38:31 p.m.

**ADDENDUM AGENDA 2:****SUPPLEMENTAL AGENDA 3: Resolution**

R7J A Resolution Approving And Authorizing The City Manager Or His Designee To Submit An Application To The US Department Of Justice For The Fiscal Year 2013 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, For Funding In The Approximate Amount Of \$61,000 For The City's Police Department Priorities; Appropriating The Grant, And City Expenses, If Approved And Accepted By The City And Authorizing The Execution Of All Necessary Documents Related To The Aforestated Application, Including, Without Limitation, Audits, And Authorizing The City Manager Or His Designee To Take All Necessary Actions Related To This Grant. (Budget & Performance Improvement) ACTION: Resolution No. 2013-28247 adopted. Motion made by Commissioner Góngora; seconded by Commissioner Weithorn; Voice-vote: 5-2; Absent: Commissioners Libbin and Tobin.

**July 17, 2013**

C7A A Resolution Approving And Authorizing The City Manager Or His Designee To Take The Following Actions: 1) Submit A Grant Application To Miami-Dade County For FY 2013/2014 Edward Byrne Memorial Justice Assistance Grant Program Funds In The Approximate Amount Of \$8,726 For The Police Department's Records Improvement Program; And, 2) Execute An Interlocal Agreement And Annual Affidavit With Miami-Dade County For The FY 2012/2013 Miami-Dade County Municipal Parking Fines Reimbursement Program, For Funding In The Approximate Amount Of \$61,000, For Funds To Be Used To Improve Accessibility And Equal Opportunity To Qualified Persons Who Have Disabilities And To Conduct Public Awareness Programs; Appropriating The Grant And Program Funds, And City Expenses, If Approved And Accepted By The City And Authorizing The Execution Of All Necessary Documents Related To The Aforestated Application, Including, Without Limitation, Audits, And Authorizing The City Manager Or His Designee To Take All Necessary Actions Related To This Grant. (Budget & Performance Improvement)

ACTION: Resolution 2013-28248 adopted.

**July 17, 2013**

C7B A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Proposals, Pursuant To Request For Proposals (RFP) No. 064-2013, For Audit Services Of Capital Improvement Projects. (Budget & Performance Improvement/Procurement)

(Resolution) ACTION: Item deferred.

**July 17, 2013**

C7C A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Firms, Pursuant To Request For Proposals (RFP) No. 065-2013TC, For Emergency Management Administrative Support Services. (Budget & Performance Improvement/Procurement)

ACTION: Resolution 2013-28249 adopted.

**July 17, 2013**

C7D A Resolution Authorizing The Mayor And City Clerk To Execute Amendment No. 25 To The Professional Services Agreement Between The City Of Miami Beach, Florida, And CH2M Hill, Inc. For The Professional Landscape, Architectural And Engineering Services For The Right-Of-Way Infrastructure Improvement Program For Neighborhood No. 8 Bayshore And Sunset Islands, Dated May 16, 2001 (The Agreement), In The Negotiated Not-To-Exceed Amount Of \$443,861 For Additional Construction Administration Services, For A Period Of Eight (8) Months And For Additional Design Services For The Right Of Way Infrastructure Improvements For The Central Bayshore Neighborhood No. 8A Package; And \$5,000 For Reimbursable Expenses, For A Grand Total Not-To-Exceed Amount Of \$448,861; With Previously Appropriated Funding.

(Capital Improvement Projects) (Resolution) ACTION: Resolution 2013-28250 adopted.

**July 17, 2013**

SUPPLEMENTAL AGENDA 3: Memorandum & Resolution

C7E A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Firms, Pursuant To Request For Qualifications (RFQ) No. 251-2013TC, For Design/Build Services For Neighborhood No. 13: Palm & Hibiscus Islands Right-Of-Way Infrastructure Improvement Project; And Authorizing The Administration To Enter Into Negotiations With The Top-Ranked Firm, Lanzo Construction Co. Florida, A Miami Beach-Based Vendor; And Further Authorizing The Mayor And City Clerk To Execute An Agreement For Pre-Construction Services Upon Completion Of Successful Negotiations.

(Capital Improvement Projects) (Memorandum & Resolution) ACTION: Resolution 2013-28251 adopted.

**July 19, 2013 at 4:55:00 p.m. and 5:16:00 p.m.**

C7F A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee And Further Authorizing The Administration To Proceed To The Next Phase Of The Collins Park Garage (Collins Park Place) Project. (Capital Improvement Projects) (Resolution)

ACTION: Item separated for discussion by Vice-Mayor Tobin. Resolution No. 2013-28289 adopted. Motion made by Commissioner Libbin; seconded by Commissioner Exposito; Voice-vote: 6-0; Absent: Vice-Mayor Tobin.

**July 17, 2013**

C7G A Resolution Re-Appointing Mr. Warren Bittner, Esq. To Serve As Special Master For Appeals Of Decisions Of The City's Historic Preservation Board Until September 16, 2016, And Setting The Compensation At \$100.00 Per Hour With A Maximum Payment Of \$500.00 Per Case. (City Clerk's Office)

ACTION: Resolution 2013-28252 adopted.

**July 17, 2013**

C7H A Resolution Amending Resolution 2013-28187, To Authorize, Pursuant To Sections 118-537(B)(3) And 142-108(G)(3) Of The Miami Beach City Code, The Payment Of \$2,436.00 To Murray Greenberg, Esq. As Reasonable Fees And Expenses For The Services Rendered As Special Master In The Appeal Of "In Re: 42 Star Island Drive, Miami Beach, FL," Case No. HPSM-13-001, DRB File No. 22936.

(City Clerk's Office) ACTION: Resolution 2013-28253 adopted.

**July 17, 2013**

C7I A Resolution Amending Resolution No. 2012-27928, Which Authorized A Contract With Bob Murray & Associates To Assist The Mayor And City Commission In The City Manager Selection/Hiring Process; Said Amendment Increasing The Original \$25,000.00 Not-To-Exceed Contract Amount By \$2,000.00, For A New Total Not-To-Exceed Amount Of \$27,000.00, Due To Unforeseen Expenses And Authorizing The City Attorney To Execute Any Required Amendment To The Contract.

(Human Resources/City Attorney's Office)

ACTION: Resolution 2013-28254 adopted.

**July 17, 2013**

C7J A Resolution Approving And Authorizing The City Manager To Execute An Independent Contractor Agreement, In An Amount Not To Exceed \$50,000, With Jorge G. Gomez, AICP (Contractor), For A Period Of Five (5) Months, Commencing Retroactively On July 1, 2013, And Ending On November 30, 2013, For Professional Services Related To The Miami Beach Convention Center Project (RFQ No. 22-11/12).

(Human Resources) ACTION: Resolution 2013-28255 adopted.

**July 17, 2013**

12:07:26 a.m.

SUPPLEMENTAL AGENDA 5: Memorandum

C7K A Resolution Accepting The Recommendations Of The Finance And Citywide Projects Committee Regarding The City Of Miami Beach Self-Funded Health Care Insurance Plans And Directing The Administration To Take Action Accordingly. (Human Resources) (Memorandum)

ACTION: Item separated for discussion by Commissioner Wolfson. Resolution 2013-28256 adopted. Motion made by Commissioner Wolfson; seconded by Vice-Mayor Tobin; Voice vote; 7-0.

**July 19, 2013 at 4:55:29 p.m.**

C7L A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee At Its May 13, 2013 Meeting To Adopt The Budget Advisory Committee's Proposed Policies And Guidelines In Order To Ensure Long Term Pension Reform. (Human Resources)

ACTION: Item separated for discussion by Vice-Mayor Tobin. Resolution 2013-28290 adopted. Item heard in conjunction with C2F and C7W. Motion made by Commissioner Góngora; seconded by Commissioner Weithorn; Voice-vote: 6-0; Vice-Mayor Tobin Absent.

**July 17, 2013**

SUPPLEMENTAL AGENDA 1: Resolution

12:20:13 p.m.

C7M A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee To Authorize The City Of Miami Beach To Partner With Miami-Dade County Public Schools And The Anti-Defamation League To Implement A Citywide Anti-Bullying Program For The 2013-14 School Year And Authorizing The Implementation Of The Program As Set Forth Herein.

(Organization Development Performance Initiatives) (Resolution)

ACTION: Item separated for discussion by Mayor Bower and Commissioner Góngora. Resolution 2013-28257 adopted. Motion made by Commissioner Góngora; seconded by Commissioner Exposito; Voice vote: 6-0; Absent: Commissioner Libbin.

**July 17, 2013**

12:25:30 p.m.

C7N A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee And Authorizing The Mayor To Enter Into An Agreement, Acceptable To The City Attorney And The City Manager, With The Miami Beach Chamber Of Commerce, The Children's Trust, North Bay Village, The Town Of Bay Harbor Islands, The Town Of Surfside, And Bal Harbour Village To Implement The Nurse Initiative For The 2013-2014 School Year With Previously Appropriated Funding In The Amount Of \$30,500 From The Miami Beach Education Compact Fund For FY 2012/13 For The City Of Miami Beach's Proportionate Share Of Funding For The Nurse Initiative. (Organization Development Performance Initiatives)

ACTION: Item separated for discussion by Mayor Bower and Commissioner Libbin. Resolution 2013-28258 adopted. Motion made by Commissioner Exposito: seconded by Commissioner Góngora Voice vote 6-0; Commissioner Libbin recused himself.

**July 17, 2013**

C7O A Resolution Authorizing The Miami Beach Chief Of Police To Execute A Multi-Agency Memorandum Of Understanding Between The City Of Miami Beach Police Department And The South Florida Internet Crimes Against Child Operational Task Force That Combat Crimes Committed Against Children, And That Which Prevents The Criminal Exploitation Of Children Committed And/Or Facilitated By Or Through The Use Of The Internet And Computers, And To Disrupt And Dismantle Organizations Engaging In Such Activity.

(Police Department)

ACTION: Resolution 2013-28259 adopted.

**July 17, 2013**

C7P A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Proposals, Pursuant To Request For Proposals (RFP) No. 01-2013ME, For Unarmed Security Guard Services.

(Police/Procurement)

(Resolution)

ACTION: Item deferred.

**July 17, 2013**

C7Q A Resolution Retroactively Approving An Additional Service Agreement With CDM-Smith For Work On The Stormwater Management Master Plan Relative To Neighborhood Concurrency Reviews, A Public Meeting, And Additional Model Runs Requested As A Result Of That Meeting.

(Public Works)

ACTION: Item withdrawn.

**July 17, 2013**

C7R A Resolution Setting A Public Hearing For September 11, 2013, To Consider A Revocable Permit Request By First Street Development, LLC, As The Owner Of The Commercial Property Located At 800 First Street, To Construct Four (4) Concrete Eyebrows That Project Over And Into The Public Right-Of-Way, At A Minimum Horizontal Dimension Of 2'-2" At 9'-6" Above The Sidewalk, To A Maximum Horizontal Dimension Of 5'-0" At 9'-8" Above The Sidewalk. (Public Works)

ACTION: Resolution No. 2013-28260 adopted.

**July 17, 2013**

SUPPLEMENTAL AGENDA 3: Memorandum and Agreement

C7S A Resolution Approving And Authorizing The City Manager To Execute An Agreement Between The City And The Florida Department Of Transportation (FDOT), For The FDOT To Install, Maintain, And Operate A Global Positioning System (GPS) Reference Station Which Includes Antenna, Receiver, And Communication Equipment At The Tennis Center Building In Flamingo Park, Located At 1200 Meridian Avenue.

(Public Works) (Memorandum of Agreement)

ACTION: Resolution 2013-28261 adopted.

**July 19, 2013 at 5:13:57 p.m.**

C7T A Resolution Accepting The Recommendation Of The Joint Neighborhood/Community Affairs Committee And Land Use And Development Committee To Proceed With Phase 2 Of The Atlantic Greenway Network Master Plan Update And Endorsing The Administration's Recommendation Of A Proposal From Atkins North America, Inc. And Streetplans Collaborative For Phase 2 Of The Atlantic Greenway Network Master Plan Update Subject To Funding Approval In The FY 2013/14 Capital Budget.

(Public Works) (Resolution)

ACTION: Item separated for discussion by Commissioner Libbin. Motion made by Commissioner Libbin; seconded by Commissioner Góngora; Voice-vote 6-0; Absent: Vice-Mayor Tobin. Resolution 2013-28291 adopted as amended, accepting to conduct Study/Proposal # 3.

**July 17, 2013**

SUPPLEMENTAL AGENDA 3: Resolutions

C7U Approve Assignment To Existing Agreements Between The City And Corzo Castella Carballo Thompson Salman, P.A. ("C3TS") (As Assignor), To Stantec Consulting Services Inc. (As Assignee):

1. A Resolution Approving An Assignment To The Existing Agreement Between The City And Corzo Castella Carballo Thompson Salman, P.A. (C3TS Or Assignor) For The Establishment Of A Pre-Approved List Of Professional Construction Engineering And Inspection (CEI) Firms To Provide Various CEI Services On An "As Needed" Basis To Stantec Consulting Services Inc. (As Assignee); With Such Assignment To Be Retroactively Effective To November 30, 2012.

ACTION: Resolution 2013-28262 adopted.

**July 17, 2013**

2. A Resolution Approving An Assignment To The Existing Agreement Between The City And Corzo Castella Carballo Thompson Salman, P.A. (C3TS Or Assignor) For A Design Criteria Professional To Prepare The Design Criteria Package For The Palm And Hibiscus Neighborhood Right-Of-Way Improvement Project To Stantec Consulting Services Inc. (As Assignee); With Such Assignment To Be Retroactively Effective To November 30, 2012.

ACTION: Resolution 2013-28263 adopted.

**July 17, 2013**

3. A Resolution Approving An Assignment To The Existing Agreement Between The City And Corzo Castella Carballo Thompson Salman, P.A. (C3TS Or Assignor) For A Design Criteria Professional To Prepare The Design Criteria Package For The Sunset Islands 3 & 4 Neighborhood Right-Of-Way Improvement Project To Stantec Consulting Services Inc. (As Assignee); With Such Assignment To Be Retroactively Effective To November 30, 2012.

ACTION: Resolution 2013-28264 adopted.

**July 17, 2013**

4. A Resolution Approving The Assignment Of The Contract For Professional Construction Engineering And Inspection (CEI) Firms To Provide Various CEI Services On An "As Needed" Basis (No. 52-11/12) Between The City And Corzo Castella Carballo Thompson Salman, P.A. ("C3TS") (As Assignor), To Stantec Consulting Services Inc. (As Assignee); Upon Completion Of Successful Negotiations.

(Procurement) (Resolutions)

ACTION: Resolution 2013-28265 adopted.

**July 19, 2013 at 4:59:30 p.m.**

C7V A Resolution Adopting The City's One-Year Action Plan For Federal Funds For Fiscal Year 2013/2014, Which Includes The Budgets For The Community Development Block Grant (CDBG) Program, The Home Investment Partnership (HOME) Program, The Fiscal Year 2012/2013 State Housing Initiatives Partnership (SHIP) Program And Value Added Enhancement Funds; Amending The FY 1994-2011 Action Plans, Authorizing The City Manager To Make Minor Non-Substantive Changes To The One-Year Action Plan Or Resulting Agreements Before Execution (Which May Be Identified During The Finalization And/Or Review Process, And Which Do Not Affect The Purpose, Scope, Approved Budget And/Or Intent Of The Plan); Authorizing The City Manager To Extend The Expiration Dates Of Said Agreements When Necessary; Authorizing The City Manager To Execute All Applicable Documents And Submit The One-Year Action Plan To The U.S. Department Of Housing And Urban Development (HUD); Further Authorizing The Mayor And City Clerk To Execute Agreements For Sub-Recipients Of CDBG, HOME, SHIP And Value Added Enhancement Funds; And Authorizing The Appropriation Of All Federal And State Funds When Received.

(Real Estate, Housing & Community Development)

ACTION: Item separated for discussion by Commissioner Góngora. Resolution 2013-28292 adopted, and item R9U referred to the Finance & Citywide Projects Committee. Motion by Commissioner Góngora to pass the item, with a referral to the Finance & Citywide Projects Committee of his item R9U relating to funding the meals distributed by Little Havana Activities & Nutrition Centers; seconded by Commissioner Exposito. Voice-vote: 6-0; Absent Vice-Mayor Tobin.

REFERRAL:

Finance and Citywide Projects Committee

**July 19, 2013 at 4:55:29 p.m.**

C7W A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 6 To The Neighborhood Stabilization Program 1 (NSP1) Subgrant Agreement Between The City And The State Of Florida Department Of Economic Opportunity (DEO) Modifying The Expiration Date Of The Subgrant Agreement, From August 15, 2013 To February 15, 2014.

(Real Estate, Housing & Community Development)

ACTION: Item separated for discussion by Vice-Mayor Tobin. Resolution 2013-28293 adopted. Item heard in conjunction with C2F and C7L. Motion made by Commissioner Góngora; seconded by Commissioner Weithorn; Voice-vote: 6-0; Vice-Mayor Tobin Absent.

**July 17, 2013**

C7X A Resolution Approving And Authorizing The City Manager To Execute A Month-To-Month Extension Of The City's Contract With The Salvation Army, For The Provision Of Thirty-One (31) Shelter Beds To Be Used To Provide Emergency Shelter To The City's Homeless Population, At A Cost Of \$19,220 Per Month, With Such Extension Commencing On October 1, 2013, And Ending At Such Time That A New Contract For The Provision Of Such Services Is Approved And Executed.

(Real Estate, Housing & Community Development)

ACTION: Resolution 2013-28266 adopted.

**July 17, 2013**

C7Y A Resolution Retroactively Approving And Authorizing The Acceptance Of \$8,688 In Sponsorships Made To The City For The Annual Fourth Of July Celebration, A Free Event.

(Tourism, Culture & Economic Development)

ACTION: Resolution 2013-28267 adopted.



**July 17, 2013**

C7Z A Resolution Approving Pursuant To Section 2-367(D) Of The Miami Beach City Code, The Sole Source Purchase Of Public Performance Rights In An Amount Not To Exceed \$30,500 Annually; For Motion Pictures To Be Shown Free Of Charge At Various Outdoor Locations Including Soundscape, North Shore Band Shell And Other City Parks, From Swank Motion Pictures, Inc., And From Criterion Pictures, USA, Sole Source Holders Of Public Performance Rights For Specific Motion Pictures; And Further Approving Sole Source Purchase For An Additional Two (2) Years Contingent Upon Funds Appropriations.

(Tourism, Culture & Economic Development)

(Resolution)

ACTION: Resolution 2013-28268 adopted.

**July 17, 2013**

SUPPLEMENTAL AGENDA 1: Resolution

C7AA A Resolution Creating A Centennial Celebration Ad-Hoc Committee To Provide Ideas And Recommendations Pertaining To All Matters With Respect To Events And Activities Related To The City Of Miami Beach Centennial On March 26, 2015, And Prescribing The Duties, Manner Of Appointment, And Term Of Office Of Committee Members.

(Tourism, Culture & Economic Development)

(Resolution)

ACTION: Resolution 2013-28269 adopted.

**July 17, 2013**

C7BB A Resolution Approving And Authorizing The City Manager To Execute Amendment No. 1 To The Letter Of Understanding Between The City And MCH Swiss Exhibition LTD (MCH), Regarding The Art Basel Event In Miami Beach (Or The ABMB Event).

(Tourism, Culture & Economic Development)

(Resolution)

ACTION: Resolution 2013-28270 adopted.

**July 17, 2013**

C7CC A Resolution Approving The Selection Of A Public Art Commission For South Pointe Park Pier, By The Artist, Tobias Rehberger, Entitled "Gate" (Working Title), As Recommended By The Art In Public Places Committee And The Neighborhood/Community Affairs Committee And As Approved By The Design Review Board; Further Approving And Authorizing The City Manager To Execute A Contract With The Artist, Tobias Rehberger, For The Design, Fabrication, Installation Of Aforestated Work Of Art; And Approving Funds, In An Amount Not To Exceed \$89,177, As Follows: Fund 147 - Art In Public Places From South Pointe Park Pier Project, \$64,177 And \$25,000, Capital Budget South Pointe Park Pier Construction Fund, Previously Appropriated As Part Of The FY 2010/11 Capital Budget.

(Tourism, Culture & Economic Development)

ACTION: Resolution 2013-28271 adopted.

**July 17, 2013**

C7DD A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee To Establish Working Groups To Identify And Implement Procedures And Monitoring Guidelines To Address The Recommendations Of The Crowe Horwath Performance And Operational Audit.

(Requested by Commissioner Deede Weithorn)

(Resolution)

ACTION: Resolution 2013-28272 adopted.

**July 17, 2013**

12:23:57 p.m.

C7EE A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee At Its June 25, 2013 Meeting And Supporting The Recommendations Of The Miami-Dade County And Miami-Dade County Public Schools' Joint Roundtable On Youth Safety To The Extent That Funding Is Available.

(Organization Development Performance Initiatives)

ACTION: Item separated for discussion by Mayor Bower. Resolution 2013-28273 adopted. Motion made by Commissioner Góngora; seconded by Commissioner Exposito: Voice vote: 6-0; Absent: Commissioner Libbin.

**July 17, 2013**

C7FF A Resolution Waiving, By A 5/7ths Vote, The Formal Competitive Bidding Requirements, Finding Such Waiver To Be In The City's Best Interest, And Authorizing The Purchase Of Parking Meter Expanded Housing And Electronic System From Duncan Industries Parking Control Systems Corp.; And Single Space Parking Meters, Accessories And Software From Mackay Meters, Inc. By The City's Parking Department For The Maintenance And Operation Of Single Space Parking Meters Citywide.

(Parking Department)

(Resolution)

ACTION: Resolution 2013-28274 adopted.

**July 17, 2013**

SUPPLEMENTAL AGENDA 2:

SUPPLEMENTAL AGENDA 3: Resolution (Formerly Item C2D)

C7GG A Resolution Approving A Contract Award, Pursuant To Invitation To Bid No. 173-2013TC, For The Reconstruction Of Surface Parking Lots 12X And 17X, In The Amount Of \$573,000, Plus A Contingency Amount Of \$57,300; With Previously Appropriated Funding In The Amount Of \$605,244 From 480 - Parking Operations Fund; And A Contingency Amount Of \$25,056 From 480 - Parking Operations Fund, Subject To Appropriation Through The Fiscal Year 13/14 Capital Budget Process, For A Total Amount Of \$630,300.

(Capital Improvement Projects/Procurement)

(Resolution)

(Formerly item C2D)

ACTION: Resolution 2013-28275 adopted.

**July 19, 2013 at 1:59:03 p.m.**

SUPPLEMENTAL AGENDA 1: Resolution

R7A A Resolution Setting The Proposed Millage Rates For Fiscal Year (FY) 2013/14, The Calculated "Rolled-Back" Rate, And The Date, Time, And Place Of The First Public Hearing; Further Authorizing The City Manager To Transmit This Information To The Miami-Dade County Property Appraiser In The Form Required By Section 200.065, Florida Statutes.

(Budget & Performance Improvement)

(Resolution)

ACTION: Resolution No. 2013-28294 adopted as amended by reducing by 0.2 mills. Motion made by Commissioner Libbin; seconded by Vice-Mayor Wolfson; Voice-vote: 7-0.

Amendment:

Reduce Millage by 0.2

**July 19, 2013 at 2:25:35 p.m.**

SUPPLEMENTAL AGENDA 1: Resolution

R7B A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Setting 1) The Proposed General Operating Millage Rate For The Normandy Shores Neighborhood Improvement District; 2) The Calculated Rolled-Back Rate; And, 3) The Date, Time And Place Of The First Public Hearing To Consider The Operating Millage Rate And Budget For Fiscal Year (FY) 2013/14; Further Authorizing The City Manager To Transmit This Information To The Miami-Dade County Property Appraiser In The Form Required By Section 200.065, Florida Statutes.

(Budget & Performance Improvement)

(Resolution)

ACTION: Resolution No. 2013-28295 adopted. Motion made by Commissioner Libbin; seconded by Commissioner Exposito; Voice-vote: 7-0.

**July 17, 2013**

1:21:06 p.m.

R7C A Resolution Waiving, By 5/7th Vote, The Competitive Bidding Requirement And Approving An Agreement Between The City And Global Spectrum, LP (Global) For The Operation, Management, Maintenance, Promotion And Marketing Of The Miami Beach Convention Center And Colony Theatre, Based On Those Material And Substantive Terms And Conditions In The Term Sheet Attached As Exhibit "A" To This Resolution; Authorizing And Directing Global And The City Manager And City Attorney's Office To Finalize The Agreement Based On The Approved Term Sheet; Further Authorizing Global And The City Manager And City Attorney's Office To Make Any Non-Substantive And Non-Material Revisions And/Or Additions To The Agreement, As Required, And Authorizing The Mayor And City Clerk To Execute The Final Agreement (Said Agreement Having An Initial Term Of Three (3) Years, Commencing On October 1, 2013, And Ending On September 30, 2016, With Two (2) One Year Renewal Terms, To Be Exercised At The City's Sole Option And Discretion). (Tourism, Culture & Economic Development) (Deferred on June 5, 2013)

(Resolution)

ACTION: Resolution No. 2013-28276 adopted as amended. Motion made by Vice-Mayor Tobin; seconded by Commissioner Weithorn; Voice-vote: 7-0.

Amendments to Contract:

Add customer service survey

Increase dances to four (4) per year

Increase scholarships contributions from \$12,500 to \$15,000.

**July 17, 2013**

1:46:30 a.m.

SUPPLEMENTAL AGENDA 4: Appraisal Report

R7D Vacation Of Alleyway - 500 Alton Road

A Resolution To Consider, On First Reading, Vacating An Alley Located In The 500 Block Of Alton Road, Containing Approximately 6,005 Square Feet, In Favor Of The Adjacent Property Owners, South Beach Heights I, LLC, 500 Alton Road Ventures, LLC And 1220 Sixth, LLC. First Reading

(Public Works) (Appraisal Report)

ACTION: Resolution read into the record. Resolution 2013-28277 approved on first reading and referred to the Finance and Citywide Projects committee between first and second reading. Motion made by Commissioner Libbin; seconded by Commissioner Góngora; Voice-vote: 7-0. Second Reading Public Hearing scheduled for September 11, 2013.

REFERRAL:

To Finance and Citywide Projects Committee

**July 19, 2013 at 4:27:52 p.m.**

~~R7G A Resolution Calling For A Special Election To Be Held On Tuesday, November 5, 2013, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach An Advisory, Non-Binding Straw Ballot Question Asking Whether The City Commission Should Adopt A Resolution Urging The Federal Government And The Florida Legislature To Decriminalize And Authorize The Medicinal Use Of Marijuana.~~

R7G A Resolution Calling For A Special Election To Be Held On Tuesday, November 5, 2013, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach An Advisory, Non-Binding Straw Ballot Question Asking Whether The City Commission Should Adopt A Resolution Urging The Federal Government And The Florida Legislature To Decriminalize And Authorize The Medicinal Use Of Marijuana.

(City Attorney's Office)

ACTION: Resolution No. 2013-28296 adopted. Motion made by Commissioner Wolfson; seconded by Commissioner Libbin Voice-vote; 5-1; Opposed; Mayor Bower; Absent: Vice-Mayor Tobin.

Straw Ballot:

"Should the City Commission adopt a resolution urging the Federal Government and the Florida Legislature to decriminalize and authorize the medicinal use of marijuana?"

**July 17, 2013 12:17:04 a.m.**

SUPPLEMENTAL AGENDA 3: Resolution

R7H Reject Bids Received For 6th Street, 53rd Street Restrooms And Ocean Rescue Office, And Approve GMP Amendment

1. A Resolution Rejecting All Bids Received, Pursuant To Invitation To Bid No. 176-2013TC, For The Construction Of The 6th Street Restrooms, 53rd Street Restrooms, And Ocean Rescue Office.

ACTION: Resolution No. 2013-28278 adopted. Item heard in conjunction with R7H2. Motion made by Commissioner Weithorn; seconded by Commissioner Góngora; Voice-vote: 5-0; Absent Vice Mayor Tobin and Commissioner Libbin.

**July 17, 2013**

2. A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A Guaranteed Maximum Price (GMP) Amendment No. 1, To The Pre-Construction Services Agreement With Thornton Construction Company, Inc., For The Construction Of 1.) The 6th Street Restrooms, In The Amount Of \$614,322, Plus An Owner's Project Contingency Of \$30,716, For A Total Of \$645,038; 2.) 53rd Street Restrooms And Ocean Rescue Building In The Amount Of \$586,171, Plus An Owner's Contingency Of \$30,543, And 3.) The Provision Of A Temporary Office Trailer For Ocean Rescue, In The Amount Of \$24,704, For A Total Of \$641,418; All For A GMP Total Of \$1,225,197, With Owner's Contingency Of \$61,259, For A Grand Total Of \$1,286,456; With Previously Appropriated Funding In The Amount Of \$535,367 From SP Post RDA CDT And Municipal Resort Tax Fund 388, \$109,671 From SB Quality Of Life Resort Tax Fund 305, \$641,418 From Capital Projects Not Financed By Bonds Fund 301.

(Capital Improvement Projects/Procurement) (Resolutions)

ACTION: Resolution No. 2013-28279 adopted. Item heard in conjunction with item R7H1. Motion made by Commissioner Weithorn; seconded by Commissioner Góngora; Voice-vote: 5-0; Absent Vice-Mayor Tobin and Commissioner Libbin.

**July 17, 2013**

1:58:40 p.m.

SUPPLEMENTAL AGENDA 1: Memorandum & Resolution

R7I A Resolution Consenting To And Confirming The Appointment Of John Rebar As The Director Of The Parks And Recreation Department For The City Of Miami Beach.

(Human Resources) (Memorandum & Resolution) (Memorandum to be Submitted in Supplemental)

ACTION: Resolution No. 2013-28280 adopted. Motion made by Commissioner Góngora; seconded by Commissioner Weithorn; Voice-vote: 7-0.

**July 17, 2013**

2:00:08 p.m.

R7J Consent Appointments Of Nannette Rodriguez, Gladys Gonzalez And Alex Denis

1. A Resolution Consenting To And Confirming The Appointment Of Nannette Rodriguez As The Director Of The Office Of Communications For The City Of Miami Beach.

ACTION: Resolution No. 2013-28281 adopted. Motion made by Commissioner Góngora; seconded by Commissioner Weithorn; Voice-vote: 7-0.

**July 17, 2013**

2. A Resolution Consenting To And Confirming The Appointment Of Gladys Gonzalez As The Director Of The Department Of Information Technology For The City Of Miami Beach.

ACTION: Resolution No. 2013-28282 adopted. Motion made by Commissioner Góngora; seconded by Commissioner Weithorn; Voice-vote: 7-0.

**July 17, 2013**

3. A Resolution Consenting To And Confirming The Appointment Alex Denis As The Director Of The Office Of Procurement For The City Of Miami Beach.

(Human Resources)

ACTION: Resolution No. 2013-28283 adopted. Motion made by Commissioner Góngora; seconded by Commissioner Weithorn; Voice-vote: 7-0.

**July 17, 2013**

11:14:44 p.m.

SUPPLEMENTAL AGENDA 5: Memorandum

R7K A Resolution Ratifying A Three (3) Year Labor Agreement Between The City Of Miami Beach And The Communications Workers Of America, Local 3178 (CWA), For The Period From October 1, 2012 Through September 30, 2015; And Authorizing The Mayor And City Clerk To Execute The Agreement.

(Human Resources) (Memorandum)

ACTION: Resolution No. 2013-28284 adopted. Motion made by Commissioner Wolfson; seconded by Commissioner Libbin; Voice-vote: 6-0; Absent: Vice-Mayor Tobin.

**July 17, 2013**

2:01:47 p.m.

SUPPLEMENTAL AGENDA 1: Memorandum & Resolution

R7L A Resolution Accepting The Following Recommendations Of The Neighborhood/Community Affairs Committee: 1.) Approving The Proposal Of The Flamingo Park Neighborhood Association To Name The New Tennis Center At Flamingo Park, The "Flamingo Park Tennis Center;" 2.) In Release And Settlement Of Any Right(s) And/Or Claim(s) That Abel Holtz (Both Individually And/Or Acting By And On Behalf Of The Entire Holtz Family, And Their Respective Heirs, Successors, And Assigns) May Have With Respect To The Naming Of The New Tennis Center And Any Other Tennis Related Improvements At Flamingo Park (Past, Present, Or Future), Approving The Establishment Of A Monument, In The Form Of A Tennis Ball Sculpture (Which Design Was Initially Included In The Renderings For The Project), With A Dedicatory Plaque On The Base Of The Sculpture With Plaque Language To Be Mutually Agreed Upon Between The City And The Holtz Family; 3.) Further Deferring The Official Ribbon Cutting Ceremony For The New Tennis Center Until The Naming Is Finalized; And 4.) Accepting The Recommendation Of The City Attorney's Office And Authorizing The City Attorney To Prepare An Amendment To Section 82-503(c)(2) Of The City's Naming Ordinance To Clarify The City's Intent That If A Public Facility Is Being Named Or Re-Named To Include The Location Including, Without Limitation, The Park Or Street Number/Name, Where The Facility Is Situated, Then The Referendum Requirements For Naming The Exterior Of Public Facilities Shall Not Apply.

(Parks & Recreation) (Memorandum & Resolution) (Memorandum to be Submitted in Supplemental)

ACTION: Resolution No. 2013-28285 adopted in two motions.

**MOTION 1**

Commissioner Góngora separated Item 2 (Tennis Ball Sculpture) of the proposed resolution, as he must recuse himself on that portion, and moved to approve the Items 1, 3 and 4 of the resolution; seconded by

Commissioner Exposito. Voice vote: 7-0.

## **MOTION 2**

Commissioner Weithorn moved Item 2 (Tennis Ball Sculpture) of the proposed resolution; seconded by Commissioner Exposito. Voice vote: 6-0; Commissioner Góngora recused himself.

## **July 19, 2013 at 3:47:44 p.m.**

SUPPLEMENTAL AGENDA 3: Revised Memorandum & Resolution

R7M A Resolution Calling For A Special Election To Be Held On Tuesday, November 5, 2013, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether City Charter Section 1.03(B) Requiring Majority Voter Approval Before The City's Sale, Lease Exceeding Ten Years, Exchange Or Conveyance Of Convention Center Parking Lots Should Be Changed To Require 60% Voter Approval Instead, And To Include "Convention Center Campus" (All City-Owned Property Within Civic And Convention Center District Except Convention Center And Carl Fisher Clubhouse) Within The Category Of City-Owned Properties Subject To 60% Voter Approval Requirement, And Clarifying That This Charter Change Is Inapplicable To The "Convention Center Project" Ballot Question (To Be Presented Simultaneously On The November 5, 2013 Ballot). (City Attorney's Office) (Revised Memorandum & Resolution)

ACTION: Item heard in conjunction with item R9O. Resolution 2013-28297 adopted. Motion made by Commissioner Libbin to adopt the resolution drafted by the City Attorney; seconded by Commissioner Weithorn Voice-vote: 5-1; Opposed Commissioner Wolfson; Absent: Vice-Mayor Tobin.

## **Motion 1:**

Motion made by Commissioner Libbin to direct the City Attorney to seek a declaratory order from the Court immediately; seconded by Commissioner Weithorn; Voice vote 6-0; Absent: Vice-Mayor Tobin.

## **July 17, 2013**

9:17:24 p.m.

ADDENDUM AGENDA 2:

~~R7N A Resolution Approving The Selection Of Tishman As The Master Developer For A Public-Private Mixed-Use Development In Miami Beach For The Enhancement Of The Miami Beach Convention Center Campus/District, Including The Expansion Of The Miami Beach Convention Center And Development Of A Convention Center Hotel And Authorizing The City Manager To Negotiate A Term Sheet, Development Agreement And Any Other Documents Necessary For The Such Development.~~

## **July 17, 2013**

A Resolution Approving South Beach Arts, Culture, And Entertainment, LLC (South Beach Ace) As The Master Developer Pursuant To "Phase II" Of Request For Qualifications No. 22-11/12 For A Public-Private Mixed-Use Development In Miami Beach For The Enhancement Of The Miami Beach Convention Center District, Including The Expansion Of The Miami Beach Convention Center And Development Of A Convention Center Hotel; Authorizing The City Manager To Execute, On Behalf Of The City, A Letter Of Interest (LOI) With South Beach Ace (Which LOI Also Incorporates And References The Master Plan And Program Approved By The City); And Further Authorizing The City Manager To Continue With Phase II Negotiations And Negotiate A Term Sheet, Development Agreement And Ground Leases For The Project, With Such Term Sheet And Respective Agreements Subject To Consideration And Approval By The City Commission At A Future Date. (City Manager's Office)

ACTION: Resolution No. 2013-28286 adopted. Motion made by Commissioner Góngora; seconded by Commissioner Exposito to select Tishman as the developer; Voice-vote: 4-2; Opposed Vice-Mayor Tobin and Commissioner Wolfson.

## **July 19, 2013 at 2:39:46 p.m. and 5:35:57 p.m.**

ADDENDUM AGENDA 2:

R7O Convention Center Project – Ballot Question Resolutions

1. Alternative A:

A Resolution Calling For A Special Election To Be Held On Tuesday, November 5, 2013, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether The City Should Lease The Following City Properties To South Beach Ace ("Tishman"):

- Convention Center ("CC") Parking Lots;
- Air Rights Above CC; And
- Ground Floor And Rooftop Of A New City Garage To Be Built On Site Of Existing 17th Street Garage ("New Garage");

For Development By Tishman On Such Properties Of:

- An 800 Room Convention Hotel;
- 90,000 Square Feet Of Retail/Restaurants;
- Low-Rise Residential Units; And
- The New Garage.

Amended Alternative A (Final Wording):

A Resolution Of The Mayor And City Commission Of The City Of Miami Beach, Florida Calling For A Special Election To Be Held On Tuesday, November 5, 2013, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether The City Should Enter Into 99 Year Leases With South Beach Arts Culture Entertainment ("Tishman") Providing For Payment To The City Of Fair Market Rent On These City Properties:

- Convention Center Parking Lots;
- Convention Center Drive;
- Portions Of Convention Center, Center's Air Rights And Parking Spaces;
- 17th Street Garage Site's Ground Floor ("Garage");

For Tishman's Development Thereon Of:

- 800 Room Hotel;
- 20,000 Square Feet Retail/Restaurants North Of 17th Street;
- 70,000 Square Feet Retail/Restaurants In The Garage?

ACTION: Resolution 2013-28298 adopted as amended, and read for the record by Jose Smith, City Attorney. Motion made by Commissioner Libbin; seconded by Commissioner Weithorn; Ballot-vote: 5-1; Opposed; Commissioner Wolfson; Absent: Vice-Mayor Tobin. City Attorney's Office and Maria Hernandez to handle.

## 2 Alternative B:

A Resolution Calling For A Special Election To Be Held On Tuesday, November 5, 2013, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether The City Should Lease The Following City Properties To Portman-CMC:

Convention Center ("CC") Parking Lots;

Air Rights Above CC, And East Side Of CC Facing Washington Avenue;

- Ground Floor And Rooftop Of A New City Garage To Be Built On Site Of Existing 17th Street Garage ("New Garage");

For Development By Portman On Such Properties Of:

- An 800 Room Convention Hotel;
- 90,000 Square Feet Of Retail/Restaurants;
- Low-Rise Residential Units; And
- The New Garage.

(City Attorney's Office)

ACTION: Item rejected.

Consensus:

No rooftop on program on the 17th Street Garage;

No residential component;

Bifurcate 20,000 square feet from 70,000 square feet, 20,000 going north of 17th Street, 70,000 square feet for retail/restaurant in the Garage.

2 Alternative B:

A Resolution Calling For A Special Election To Be Held On Tuesday, November 5, 2013, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether The City Should Lease The Following City Properties To Portman-CMC:

Convention Center ("CC") Parking Lots;

Air Rights Above CC, And East Side Of CC Facing Washington Avenue;

•Ground Floor And Rooftop Of A New City Garage To Be Built On Site Of Existing

17th Street Garage ("New Garage");

For Development By Portman On Such Properties Of:

• An 800 Room Convention Hotel;

• 90,000 Square Feet Of Retail/Restaurants;

• Low-Rise Residential Units; And

• The New Garage.

(City Attorney's Office)

ACTION: Item rejected.

Consensus:

No rooftop on program on the 17th Street Garage;

No residential component;

Bifurcate 20,000 square feet from 70,000 square feet, 20,000 going north of 17th Street, 70,000 square feet for retail/restaurant in the Garage.

2 Alternative B:

A Resolution Calling For A Special Election To Be Held On Tuesday, November 5, 2013, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether The City Should Lease The Following City Properties To Portman-CMC:

Convention Center ("CC") Parking Lots;

Air Rights Above CC, And East Side Of CC Facing Washington Avenue;

•Ground Floor And Rooftop Of A New City Garage To Be Built On Site Of Existing

17th Street Garage ("New Garage");

For Development By Portman On Such Properties Of:

• An 800 Room Convention Hotel;

• 90,000 Square Feet Of Retail/Restaurants;

• Low-Rise Residential Units; And

• The New Garage.

(City Attorney's Office)

ACTION: Item rejected.

**July 17, 2013**

12:22:04 a.m.

R7P A Resolution Calling For A November 5, 2013 Special Election, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach, Florida A Question Asking Whether Section 1.07 Of The Miami Beach Charter Should Be Created Requiring A Majority Vote In A Citywide Election To Repeal, Diminish, Or Otherwise Negatively Impact A Right Or Duty Established In Miami Beach City Code Chapter 62 ("Human Relations") That Inures To The Benefit Of A Member Of The Classification Categories Of Race, Color, National Origin, Religion, Sex, Gender Identity, Sexual Orientation, Disability, Marital Status, Familial Status, And Age As Defined In Miami Beach City Code Section 62-31.

(Requested By Commissioner Michael Góngora)

(Legislative Tracking: City Attorney's Office)

ACTION: Resolution No. 2013-28287 adopted. Motion made by Commissioner Góngora; seconded by Commissioner Exposito; Voice-vote: 5-0; Absent: Vice-Mayor Tobin and Commissioner Libbin.



**July 19, 2013 at 3:46:57 p.m.**

R7Q Charter Amendments Re: Citizens' Bill Of Rights

1. A Resolution Calling For A November 5, 2013 Special Election, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach, Florida A Question Asking Whether Paragraph A(16) Of The Miami Beach City Charter Citizens' Bill Of Rights Should Be Amended To Add Gender Identity To The List Of Currently Protected Classes Of Race, Color, National Origin, Religion, Gender, Sexual Orientation, Disability, Marital Status, Familial Status, And Age.

ACTION: Item withdrawn by Commissioner Góngora.

**July 19, 2013 at 3:38:44 p.m.**

4:37:07 p.m.

2. A Resolution Calling For A November 5, 2013 Special Election, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach, Florida A Question Asking Whether Paragraph A(17) Of The Miami Beach City Charter Citizens' Bill Of Rights Should Be Created Prohibiting Discrimination By The City Of Miami Beach In Its Employment Practices And Benefits Offered Based Upon An Employee Or Applicant's Race, Color, National Origin, Religion, Gender, Sexual Orientation, Gender Identity, Disability, Marital Status, Familial Status, Or Age. (Requested By Commissioner Michael Góngora) (Legislative Tracking: City Attorney's Office)

ACTION: Resolution 2013-28299 adopted. Motion made by Commissioner Góngora; seconded by Commissioner Weithorn. Voice-vote: 6-0. Absent: Vice-Mayor Tobin.

**July 17, 2013 at 11:58:47 p.m.**

**July 19, 2013 at 1:47:03 p.m.**

ADDENDUM AGENDA 4

R7R A Resolution Ratifying A Three (3) Year Labor Agreement Between The City Of Miami Beach And The Miami Beach Fraternal Order Of Police (FOP), William Nichols Lodge No. 8, For The Period From October 1, 2012 Through September 30, 2015; And Authorizing The Mayor And City Clerk To Execute The Agreement. (Human Resources)

ACTION: Resolution 2013-28300 adopted as amended by Commissioner Weithorn. Motion made by Commissioner Weithorn; seconded by Commissioner Exposito; Voice-vote: 6-1; Opposed: Commissioner Wolfson.

**Amendments:**

1. Section 8.23, page 27 – adding the following language:

A) "Employee shall no longer be able to apply overtime off duty or any other pensionable earnings for the purpose of calculating a member's retirement benefit that yields a benefits in excess of 11% of the salary at the time of retirement. This provision shall not apply to current Sergeants and Lieutenants."

**July 19, 2013 at 1:16:27 p.m.**

ADDENDUM AGENDA 4

R7S A Resolution Ratifying A Three-Year Labor Agreement Between The City Of Miami Beach and The International Association Of Fire Fighters/Local 1510 (IAFF), For The Period From October 1, 2012 Through September 30, 2015; And Authorizing The Mayor And City Clerk To Execute The Agreement. (Human Resources)

ACTION: Resolution 2013-28301 adopted. Motion made by Commissioner Weithorn; seconded by Commissioner Exposito; Voice-vote: 6-1; Opposed: Commissioner Wolfson.

**July 19, 2013 at 3:31:20 p.m.**

3:31:53 p.m.

R7T Calling for Special Election Creating (A)19 and (A)20 of the Miami Beach Citizen's Bill of Rights

1. A Resolution Calling For A November 5, 2013 Special Election, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach, Florida A Question Asking Whether Paragraph A(20) Of The Miami Beach City Charter Citizens' Bill Of Rights Should Be Created To Acknowledge The Purpose And Duties Of The City's Condominium Ombudsman As Assisting Condominium And Co-Op Owners To Navigate Through The City's Permitting Process; Facilitate Resolution Of Other Condominium-Related Issues With Other Outside Agencies; And Act As A Liaison Between Condominium Or Co-Op Owners, Management Firms And The City. ACTION: Resolution 2013-28302 adopted as amended by Commissioner Wolfson. Item heard in conjunction with R7T2. Motion made by Commissioner Libbin to approve the item as amended; seconded by Commissioner Wolfson; Voice-vote: 6-0; Absent: Vice-Mayor Tobin.

Amendment:

CITY ASSISTANCE TO CONDOMINIUM AND CO-OP OWNERS

SHALL PARAGRAPH A(20) OF THE MIAMI BEACH CITY CHARTER CITIZENS' BILL OF RIGHTS BE CREATED TO ACKNOWLEDGE THE PURPOSE AND DUTIES OF THE CITY'S ADMINISTRATION CONDOMINIUM OMBUDSMAN AS ASSISTING CONDOMINIUM AND CO-OP OWNERS TO NAVIGATE THROUGH THE CITY'S PERMITTING PROCESS; FACILITATE RESOLUTION OF OTHER CONDOMINIUM-RELATED ISSUES WITH OTHER OUTSIDE AGENCIES; AND ACT AS A LIAISON BETWEEN CONDOMINIUM OR CO-OP OWNERS, MANAGEMENT FIRMS AND THE CITY?

**July 19, 2013 at 3:31:53 p.m.**

2. A Resolution Calling For A November 5, 2013 Special Election, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach, Florida A Question Asking Whether Paragraph A(19) Of The Miami Beach City Charter Citizens' Bill Of Rights Should Be Created To Set Forth Therein The City Of Miami Beach's Policy To Cooperate With The Miami-Dade County Public Schools To Develop, Operate And Maintain A System Of Public Education, In Cooperation With Other Appropriate Governmental Agencies, Which Will Strive To Improve The Quality And Quantity Of Public Educational Facilities Available To The Citizenry Of The City Of Miami Beach, Florida.

(Requested by Commissioner Jerry Libbin)

(Legislative Tracking: City Attorney's Office)

ACTION: Resolution 2013-28303 adopted as amended by Commissioner Wolfson. Motion made by Commissioner Libbin; seconded by Commissioner Exposito; Voice-vote: 6-0; Absent: Vice-Mayor Tobin.

**Amendment:**

IMPROVEMENT OF PUBLIC EDUCATIONAL FACILITIES AVAILABLE TO MIAMI BEACH CITIZENRY

SHALL PARAGRAPH A(19) OF THE MIAMI BEACH CITY CHARTER CITIZENS' BILL OF RIGHTS BE CREATED TO SET FORTH THEREIN THE CITY OF MIAMI BEACH'S POLICY TO COOPERATE WITH THE MIAMI-DADE COUNTY PUBLIC SCHOOLS TO DEVELOP, OPERATE AND MAINTAIN A SYSTEM OF PUBLIC EDUCATION, IN COOPERATION , AND WITH OTHER APPROPRIATE GOVERNMENTAL AGENCIES, WHICH WILL STRIVE TO IMPROVE THE QUALITY AND QUANTITY OF PUBLIC EDUCATIONAL FACILITIES AVAILABLE TO THE CITIZENRY OF THE CITY OF MIAMI BEACH, FLORIDA.?

**July 17, 2013**

12:06:31 a.m.

R9H Request Rental Fee Waivers For The Use Of The Colony Theater And The Miami Beach Botanical Gardens For The Sustainable Authentic Florida Conference, To Be Held In Miami Beach, October 23-25, 2013. (Requested by Mayor Matti Herrera Bower)

ACTION: Discussion held. Resolution 2013-28306 adopted. Motion made by Commissioner Weithorn; seconded by Commissioner Exposito; Voice vote 7-0.

**July 17, 2013**

9:12:09 p.m.

~~R9R Discuss A Resolution Supporting Efforts To Reduce Gun Violence And Illegal Firearms Trafficking Through More Responsible Gun Sales And Marketing Practices, Directing The City Manager And The Police Chief To Partner With Other Municipalities To Create A Coalition In Support Of This Initiative, And Directing The City Clerk To Send A Certified Copy Of This Resolution To All South Florida Municipalities, The Florida League Of Cities, Inc., All Members Of Florida's Congressional Delegation, And To The Obama Administration.~~

Discuss A Resolution Supporting Efforts To Reduce Gun Violence And Illegal Firearms Trafficking Through More Responsible Gun Sales And Marketing Practices, Directing The City Manager To Coordinate With The Police Chief To Partner With Other Municipalities To Create A Coalition In Support Of This Initiative And To Work With Gun And Ammunition Initiative Suppliers To Encourage The Consideration Of Sales And Marketing Safeguards, And Directing The City Clerk To Send A Certified Copy Of This Resolution To All South Florida Municipalities, The Florida League Of Cities, Inc., All Members Of Florida's Congressional Delegation, And To The Obama Administration

(Requested by Mayor Matti Herrera Bower)

ACTION: Discussion held. Resolution No. 2013-28288 adopted as amended by Casey Woods. Motion made by Commissioner Exposito seconded by Commissioner Góngora; Voice vote: 7-0.

**Amendment**

Directing The City Manager To Coordinate With The Police Chief To Partner With Other Municipalities To Create A Coalition In Support Of This Initiative And To Work With Gun And Ammunition Initiative Suppliers To Encourage The Consideration Of Sales And Marketing Safeguards, ...

**July 19, 2013 at 4:45:21 p.m.**

**ADDENDUM AGENDA 2:**

R9W Discuss The Potential Closure Of North Shore Library And Other Cuts Which May Impact The Quality Of Life To Miami Beach Residents, Resulting From The Proposed Miami-Dade County Budgetary Cutbacks.

(Requested by Commissioner Deede Weithorn)

ACTION: Resolution No. 2013-28304 adopted and item referred to the Finance and Citywide Projects Committee. Motion made by Commissioner Weithorn to send a resolution urging Miami-Dade County not to close the South Shore and North Beach libraries; seconded by Commission Góngora; Voce-vote: 6-0. Absent: Vice-Mayor Tobin.

**REFERRAL:**

Finance and Citywide Projects Committee

**July 19, 2013 at 5:29:16 p.m.**

**ADDENDUM 6**

R9X Discuss Directing The Administration To Organize A Taskforce In Light Of Recent Flooding Issues.

(Requested by Commissioner Góngora)

ACTION: Flooding Task Force created. Resolution No. 2013-28305 adopted. Motion made by Commissioner Góngora to create a Flooding Task Force, consisting of one member representing the Police and Fire Departments, one member representing the Public Works and CIP Departments, and the Mayor and City Commissioners shall each have one direct appointment to the Task Force; seconded by Commission Exposito; Voice-vote: 6-0. Absent: Vice-Mayor Tobin.

Amendment to Task Force composition:

Combine one individual from Police and Fire Departments

Combine one individual from Public Works and CIP Departments

City Commission to appoint one individual each

Total members: 9 members

**July 17, 2013**

1. NEW BUSINESS

1:55:51 p.m.

A A Resolution Of The Chairperson And Members Of The Miami Beach Redevelopment Agency Adopting And Appropriating The First Amendment To The Operating Budget For The City Center Redevelopment Area, For Fiscal Year 2012/13. 10:00 a.m. Public Hearing

(Tourism, Culture & Economic Development Department)

ACTION: RDA Resolution No. 596-2013 adopted. Rafael E. Granado, City Clerk, announced that all Board members are present. Motion made by Board Member Tobin; seconded by Board Member Góngora; Voice-vote: 7-0.